

PB# 98-07

PENNINGS, EDWARD

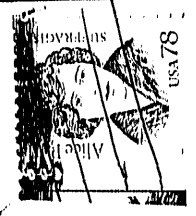
54-1-3.15

Pennings, Edward Subdivision
6 lots

98-2

CERTIFIED

16 809



Approved 2-29-00

DATE Feb 11, 1998 **RECEIPT** 340985
 RECEIVED FROM Four Dutchman Dev
 Address _____
One Hundred 00/100 DOLLARS \$ 100.00
 FOR PB #98-7

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	ck # 1037
AMOUNT PAID		CHECK	100 00
BALANCE DUE		MONEY ORDER	

Town Clerk
 BY Dorothy H. Hansen

DATE February 10, 1998 **RECEIPT** 98-7 N U M B E R
 RECEIVED FROM Four Dutchmen Development
 Address 70 Windsor Hwy - New Windsor, N.Y. 12553
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00
 FOR Subdivision Escrow

ACCOUNT		HOW PAID	
BEGINNING BALANCE	750 -	CASH	
AMOUNT PAID	750 -	CHECK	# 1038
BALANCE DUE	-0 -	MONEY ORDER	

Myra Mason, Sec'y
 BY Myra Mason, Sec'y

Is your RETURN ADDRESS completed on the reverse side?

SENDER: PENNINGS

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

EDWARD & FREDRICK PENNINGS &
 HANK & LOUISE VAN LEEUWEN
 BOX 33 ROUTE 94
 SALISBURY MILLS, NEW YORK 12577

4a. Article Number

Z 013 616 814

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

2-2-98

5. Received By: (Print Name)**8. Addressee's Address (Only if requested and fee is paid)****6. Signature: (Addressee or Agent)**

[Signature]

PS Form **3811**, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

side?

SENDER: PENNINGS

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.

I also wish to receive the following services (for an extra fee):

Is your RETURN ADDRESS completed on the reverse side?

SENDER: PENNING

☐ Complete items 1 and/or 2 for additional services.
☐ Complete items 3, 4a, and 4b.
☐ Print your name and address on the reverse of this form so that we can return this card to you.
☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
☐ Write "Return Receipt Requested" on the mailpiece below the article number.
☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to following ser extra fee):

1. ☐ Addr

2. ☐ Rest

Consult post

3. Article Addressed to:

WALTER & SARAH SLADEWSKI
499 LAKE ROAD
NEW WINDSOR, NEW YORK 12553

4a. Article Number
Z 013 616 817

4b. Service Type

☐ Registered
☐ Express Mail
☐ Return Receipt for Merch

7. Date of Delivery
2-26-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X W Sladewski

PS Form 3811, December 1994 102595-97-B-0179 Domestic F

Is your RETURN ADDRESS completed on the reverse side?

☐ Write "Return Receipt Requested" on the mailpiece below the article number.
☐ The Return Receipt will show to whom the article was delivered and the date delivered.

Consult postm

3. Article Addressed to:

STEVEN & JACQUELINE COOPER
451 LAKE ROAD
NEW WINDSOR, NEW YORK 12553

4a. Article Number
Z 013 6 16 816

4b. Service Type

☐ Registered
☐ Express Mail
☐ Return Receipt for Merchand

7. Date of Delivery
2-26-

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X J Cooper

PS Form 3811, December 1994 102595-97-B-0179 Domestic F

Is your RETURN ADDRESS completed on the reverse side?

☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
☐ Write "Return Receipt Requested" on the mailpiece below the article number.
☐ The Return Receipt will show to whom the article was delivered and the date delivered.

Consult postm

3. Article Addressed to:

LILLIAN & WALTER SLADEWSKI
469 LAKE ROAD
NEW WINDSOR, NEW YORK 12553

4a. Article Number
Z 013 615 815

4b. Service Type

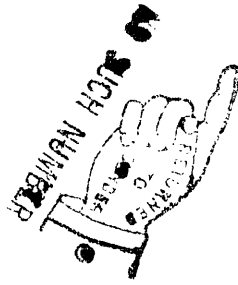
☐ Registered
☐ Express Mail
☐ Return Receipt for Merchand

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X Lillian Sladewski

PS Form 3811, December 1994 102595-97-B-0179 Domestic R



102595-97-B-0179

NEW WINDSOR, NEW YORK 12553
131 KING ROAD
KARL F. KIRSCHNER
LESTER A. CLARK &
M. JEROME JOHNSON &

NSD

PIETRZAK & PAU
ENGINEERING & SURVEYING, PLLC
31 GREENWICH AVENUE, SUITE A
GOSHEN, NEW YORK 10924

MAIL

Z 013 616 809

CERTIFIED



RETURNED TO SENDER

LEFT NO.

Map Number # 36-00 City 1
Section 54 Block 1 Lot 3.15 Town 1 Village 1 New Windsor

Title: Pennings Major Subdivision

Dated: 10-20-98 Rev. 3-1-00 Filed

Approved by James Retro Jr.
on 2-29-2000 98 30
98 9

Record Owner Edward Pennings 98 30
98 52

(4 Sheets)

DONNA L. BENSON 85 40
Orange County Clerk 77 40
98 14 76 37



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

20 February 1998

SUBJECT: PENNINGS MAJOR SUBDIVISION (SECTION II)
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
(P/B REF. NO. 98-7)

To All Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an Application for major subdivision approval of the Pennings Major Subdivision project located on Dutchman Drive, off Lake Road, within the Town. The project involves the subdivision of six (6) single-family residential lots from a 27.2 +/- acre parcel. It is the opinion of the Town of New Windsor Planning Board that the action is an unlisted action under SEQRA.

This letter is written as a request for Lead Agency coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA Review Process, sent to the Town of New Windsor Planning Board, 555 Union Avenue, New Windsor, New York 12553, Attention: Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved Agency desire the Lead Agency position, it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position.

All Involved Agencies
Page 2
20 February 1998
Pennings Major Subdivision (Section II)

Attached hereto is a copy of the preliminary subdivision plan, with location plan, for your reference. A copy of the Full Environmental Assessment Form submitted for the project is also included.

Your attention in this matter would be most appreciated. Should you have any questions concerning this project, please do not hesitate to contact the undersigned at (914) 562-8640.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD

MARK J. EDSALL, P.E.
PLANNING BOARD ENGINEER

Enclosure

cc: NYS Department of Environmental Conservation, New Paltz
New York State Parks, Recreation and Historic Preservation
Orange County Department of Health
Town of New Windsor Supervisor (w/o encl)
Town of New Windsor Town Clerk (w/o encl)
Applicant (w/o encl)
Planning Board Chairman
Planning Board Attorney (w/o encl)

A:PENNINGS.mk

617.20
Appendix A

SEQR

State Environmental Quality Review

FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☒ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.*
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

* A Conditioned Negative Declaration is only valid for Unlisted Actions

PENNINGS MAJOR SUBDIVISION, SECTION 2

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

Is expected that completion of the full EAF will be dependent on information currently available and will not involve any studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify an instance.

NAME OF ACTION			
PENNINGS MAJOR SUBDIVISION, SECTION 2			
LOCATION OF ACTION (Include Street Address, Municipality and County)			
WEST SIDE OF LAKE ROAD (EXTENSION OF DUTCHMAN DRIVE) NEW WINDSOR, ORANGE COUNTY			
NAME OF APPLICANT/SPONSOR		BUSINESS TELEPHONE	
EDWARD PENNINGS		(914) 469-5995	
ADDRESS			
2018 ROUTE 94			
CITY/PO		STATE	ZIP CODE
SALISBURY MILLS		NY	12577
NAME OF OWNER (If different)		BUSINESS TELEPHONE	
SAME		()	
ADDRESS			
CITY/PO			
STATE		ZIP CODE	
DESCRIPTION OF ACTION			
SIX LOT RESIDENTIAL SUBDIVISION UTILIZING A PROPOSED EXTENSION OF DUTCHMAN DRIVE. ALL LOTS TO BE SERVED BY INDIVIDUAL WELLS AND SEPTICS.			

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Other _____

2. Total acreage of project area: 27.2± acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>27.1</u> acres	<u>23.1</u> acres
Forested	<u>0</u> acres	<u>0</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	<u>0</u> acres	<u>0</u> acres
Water Surface Area	<u>0.1</u> acres	<u>0.1</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>0</u> acres	<u>0.9</u> acres
Other (Indicate type) <u>LAWN/LANDSCAPE</u>	<u>0</u> acres	<u>3.0</u> acres

3. What is predominant soil type(s) on project site? MARDIN AND ERIE
- a. Soil drainage: ☐ Well drained _____ % of site ☒ Moderately well drained 55 % of site
☒ Poorly drained 45 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No
- a. What is depth to bedrock? >8 (in feet)

Approximate percentage of proposed project site with slopes: ☒ 0-10% 60 % ☒ 10-15% 30 %
☒ 15% or greater 10 %

Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No

Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No

What is the depth of the water table? VARIES (in feet)

Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No

Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No

Does project site contain any species of plant or animal life that is identified as threatened or endangered?

☐ Yes ☒ No According to _____

Identify each species _____

Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)

☐ Yes ☒ No Describe _____

Is the project site presently used by the community or neighborhood as an open space or recreation area?

☐ Yes ☒ No If yes, explain _____

Does the present site include scenic views known to be important to the community?

☐ Yes ☒ No

Streams within or contiguous to project area: NONE

a. Name of Stream and name of River to which it is tributary _____

Lakes, ponds, wetland areas within or contiguous to project area:

a. Name NONE b. Size (In acres) _____

Is the site served by existing public utilities? ☒ Yes ☐ No

a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No

b) If Yes, will improvements be necessary to allow connection? ☒ Yes ☐ No

Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No

Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No

Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

Project Description

Physical dimensions and scale of project (fill in dimensions as appropriate)

a. Total contiguous acreage owned or controlled by project sponsor 27.2 acres.

b. Project acreage to be developed: 27.2 acres initially; 27.2 acres ultimately.

c. Project acreage to remain undeveloped 0 acres.

d. Length of project, in miles: N/A (If appropriate)

e. If the project is an expansion, indicate percent of expansion proposed N/A %;

f. Number of off-street parking spaces existing 0; proposed 18.

g. Maximum vehicular trips generated per hour 18 (upon completion of project)?

h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	<u>6</u>	<u></u>	<u></u>	<u></u>
Ultimately	<u>6</u>	<u></u>	<u></u>	<u></u>

i. Dimensions (in feet) of largest proposed structure 35 height; 30 width; 60 length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? 450 ft.

4. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
5. Will disturbed areas be reclaimed? ☒ Yes ☐ No ☐ N/A
- a. If yes, for what intended purpose is the site being reclaimed? LANDSCAPING
- b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☒ No
6. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 4 acres.
7. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
☐ Yes ☒ No
8. If single phase project: Anticipated period of construction 4 months, (including demolition).
9. If multi-phased:
- a. Total number of phases anticipated N/A (number).
- b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
- c. Approximate completion date of final phase _____ month _____ year.
- d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No
10. Will blasting occur during construction? ☐ Yes ☒ No
11. Number of jobs generated: during construction 10; after project is complete 0.
12. Number of jobs eliminated by this project 0.
13. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain _____
14. Is surface liquid waste disposal involved? ☐ Yes ☒ No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
- b. Name of water body into which effluent will be discharged _____
15. Is subsurface liquid waste disposal involved? ☒ Yes ☐ No Type SEWAGE
16. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No
Explain _____
17. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No
18. Will the project generate solid waste? ☒ Yes ☐ No
- a. If yes, what is the amount per month 0.3 tons
- b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No
- c. If yes, give name TURI LANDFILL; location GOSHEN
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
- e. If Yes, explain _____
19. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
- a. If yes, what is the anticipated rate of disposal? _____ tons/month.
- b. If yes, what is the anticipated site life? _____ years.
20. Will project use herbicides or pesticides? ☐ Yes ☒ No
21. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
22. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
23. Will project result in an increase in energy use? ☒ Yes ☐ No
If yes, indicate type(s) ELECTRIC
24. If water supply is from wells, indicate pumping capacity 5 gallons/minute.
25. Total anticipated water usage per day 2,850 gallons/day.
26. Does project involve Local, State or Federal funding? ☐ Yes ☒ No
If Yes, explain _____

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>ROAD DEDICATION</u>	<u>9/98</u>
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>SUBDIVISION</u>	<u>2/98</u>
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>SANITARY FACILITIES/REALTY SUBDIVISION</u>	<u>4/98</u>
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No

If Yes, indicate decision required:

☐ zoning amendment ☐ zoning variance ☐ special use permit ☒ subdivision ☐ site plan
☐ new/revision of master plan ☐ resource management plan ☐ other _____

2. What is the zoning classification(s) of the site? R-1 RESIDENTIAL

3. What is the maximum potential development of the site if developed as permitted by the present zoning?
20± LOTS

4. What is the proposed zoning of the site? N/A

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
RESIDENTIAL AND RURAL

8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒ Yes ☐ No

9. If the proposed action is the subdivision of land, how many lots are proposed? 6
a. What is the minimum lot size proposed? 1 ACRE

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☒ Yes ☐ No

a. If yes, is existing capacity sufficient to handle projected demand? ☒ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No

a. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name JOSEPH J. PFAU, P.E. Date FEBRUARY 5, 1998

Signature [Signature] Title APPLICANT'S ENGINEER

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.

The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.

The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.

The number of examples per question does not indicate the importance of each question.

In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- Answer each of the 20 questions in PART 2. Answer Yes if there will be any impact.
- Maybe answers should be considered as Yes answers.
- If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
☐ NO ☐ YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☐ NO ☐ YES

- Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Will proposed action affect any water body designated as protected?
(Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

Examples that would apply to column 2

Developable area of site contains a protected water body.

Dredging more than 100 cubic yards of material from channel of a protected stream.

Extension of utility distribution facilities through a protected water body.

Construction in a designated freshwater or tidal wetland.

Other impacts: _____

Will proposed action affect any non-protected existing or new body of water? ☐ NO ☐ YES

☐ NO ☐ YES

Examples that would apply to column 2

A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.

Construction of a body of water that exceeds 10 acres of surface area.

Other impacts: _____

Will Proposed Action affect surface or groundwater quality or quantity?

☐ NO ☐ YES

Examples that would apply to column 2

Proposed Action will require a discharge permit.

Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.

Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.

Construction or operation causing any contamination of a water supply system.

Proposed Action will adversely affect groundwater.

Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.

Proposed Action would use water in excess of 20,000 gallons per day.

Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.

Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.

Proposed Action will allow residential uses in areas without water and/or sewer services.

Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.

Other impacts: _____

Will proposed action alter drainage flow or patterns, or surface water runoff? ☐ NO ☐ YES

☐ NO ☐ YES

Examples that would apply to column 2

Proposed Action would change flood water flows.

[illegible]

- Proposed Action may cause substantial erosion.
- Proposed Action is incompatible with existing drainage patterns.
- Proposed Action will allow development in a designated floodway.
- Other impacts: _____

IMPACT ON AIR

7. Will proposed action affect air quality? ☐ NO ☐ YES
- Examples that would apply to column 2
- Proposed Action will induce 1,000 or more vehicle trips in any given hour.
 - Proposed Action will result in the incineration of more than 1 ton of refuse per hour.
 - Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.
 - Proposed action will allow an increase in the amount of land committed to industrial use.
 - Proposed action will allow an increase in the density of industrial development within existing industrial areas.
 - Other impacts: _____

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species? ☐ NO ☐ YES
- Examples that would apply to column 2
- Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.
 - Removal of any portion of a critical or significant wildlife habitat.
 - Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.
 - Other impacts: _____

9. Will Proposed Action substantially affect non-threatened or non-endangered species? ☐ NO ☐ YES
- Examples that would apply to column 2
- Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.
 - Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will the Proposed Action affect agricultural land resources? ☐ NO ☐ YES
- Examples that would apply to column 2
- The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)

[illegible]

- [illegible]

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts: _____

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts: _____

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? ☐ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

t

Examples that would apply to column 2

Proposed Action to locate within the CEA?

Proposed Action will result in a reduction in the quantity of the resource?

Proposed Action will result in a reduction in the quality of the resource?

Proposed Action will impact the use, function or enjoyment of the resource?

Other impacts: _____

IMPACT ON TRANSPORTATION

Will there be an effect to existing transportation systems?

☐ NO ☐ YES

Examples that would apply to column 2

Alteration of present patterns of movement of people and/or goods.

Proposed Action will result in major traffic problems.

Other impacts: _____

IMPACT ON ENERGY

6. Will proposed action affect the community's sources of fuel or energy supply? ☐ NO ☐ YES

☐ NO ☐ YES

Examples that would apply to column 2

Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.

Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.

Other impacts: _____

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1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

NOISE AND ODOR IMPACTS

Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☐ NO ☐ YES

Examples that would apply to column 2

Blasting within 1,500 feet of a hospital, school or other sensitive facility.

Odors will occur routinely (more than one hour per day).

Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.

Proposed Action will remove natural barriers that would act as a noise screen.

Other impacts: _____

IMPACT ON PUBLIC HEALTH

Will Proposed Action affect public health and safety?

☐ NO ☐ YES

Examples that would apply to column 2

Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.

Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)

Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.

Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.

Other impacts: _____

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

Will proposed action affect the character of the existing community?

☐ NO ☐ YES

Examples that would apply to column 2

The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.

The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.

Proposed action will conflict with officially adopted plans or goals.

Proposed action will cause a change in the density of land use.

Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.

Development will create a demand for additional community services (e.g. schools, police and fire, etc.)

Proposed Action will set an important precedent for future projects.

Proposed Action will create or eliminate employment.

Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

1. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?

☐ NO ☐ YES

If any action in Part 2 is identified as a potential large impact or if you cannot determine the magnitude of impact, proceed to Part 3

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

Briefly describe the impact.

Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).

Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

Appendix B
State Environmental Quality Review
Visual EAF Addendum

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

Visibility	Distance Between Project and Resource (in Miles)				
	0-1/4	1/4-1/2	1/2-3	3-5	5+
1. Would the project be visible from:					
• A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A site or structure listed on the National or State Registers of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The State Forest Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Wildlife Refuges and state game refuges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Natural Landmarks and other outstanding natural features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• National Park Service lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Rivers designated as National or State Wild, Scenic or Recreational?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment of designation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• A site, area, lake, reservoir or highway designated as scenic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Municipal park, or designated open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• County road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Local road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)

☐ Yes ☐ No

3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?

☐ Yes ☐ No

DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

	Within	
	*1/4 mile	*1 mile
Essentially undeveloped	<input type="checkbox"/>	<input type="checkbox"/>
Forested	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>
Suburban residential	<input type="checkbox"/>	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>
Urban	<input type="checkbox"/>	<input type="checkbox"/>
River, Lake, Pond	<input type="checkbox"/>	<input type="checkbox"/>
Cliffs, Overlooks	<input type="checkbox"/>	<input type="checkbox"/>
Designated Open Space	<input type="checkbox"/>	<input type="checkbox"/>
Flat	<input type="checkbox"/>	<input type="checkbox"/>
Hilly	<input type="checkbox"/>	<input type="checkbox"/>
Mountainous	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: add attachments as needed

5. Are there visually similar projects within:

- | | | |
|-----------|------------------------------|-----------------------------|
| *1/2 mile | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| *1 miles | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| *2 miles | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| *3 miles | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

* Distance from project site are provided for assistance. Substitute other distances as appropriate.

EXPOSURE

6. The annual number of viewers likely to observe the proposed project is _____.

NOTE: When user data is unavailable or unknown, use best estimate.

CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is

Activity	FREQUENCY			
	Daily	Weekly	Holidays/ Weekends	Seasonally
Travel to and from work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Involved in recreational activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Routine travel by residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At a residence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At worksite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/29/2000

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2
APPLICANT: PENNINGS, EDWARD

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
02/29/2000	PLANS STAMPED	APPROVED
12/08/1999	REQUEST FOR REAPPROVAL . 180 DAYS FROM 12/8/99	GRANTED
12/09/1998	P.B. APPEARANCE	APPROVED - NEED BOND
12/02/1998	WORK SESSION APPEARANCE	NEXT AGENDA
04/08/1998	P.B. APPEARANCE	LA:ND PRELIM APPROVE
04/01/1998	WORK SESSION APPEARANCE	REVISE & SUBMIT
02/11/1998	P.B. APPEARANCE	SCHED. P.H.
02/04/1998	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/29/2000

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2
APPLICANT: PENNINGS, EDWARD

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	02/09/1998	EAF SUBMITTED	02/09/1998	WITH APPLICATION
ORIG	02/09/1998	CIRCULATE TO INVOLVED AGENCIES . 02/20/98 - LEAD AGENCY LETTER SENT TO AGENCIES	02/11/1998	AUTH. LA LETTER
ORIG	02/09/1998	LEAD AGENCY DECLARED	04/08/1998	TOOK LEAD AGENCY
ORIG	02/09/1998	DECLARATION (POS/NEG)	04/08/1998	DECL. NEG DEC
ORIG	02/09/1998	PUBLIC HEARING . PUBLIC HEARING SCHEDULED FOR	02/11/1998 3/11/98	SCHEDULE P.H.
ORIG	02/09/1998	AGRICULTURAL NOTICES	02/25/1998	SENT NOTICES

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/29/2000

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2

APPLICANT: PENNINGS, EDWARD

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV2	12/04/1998	MUNICIPAL HIGHWAY	/ /	
REV2	12/04/1998	MUNICIPAL WATER	12/08/1998	NO TOWN WATER
REV2	12/04/1998	MUNICIPAL SEWER	/ /	
REV2	12/04/1998	MUNICIPAL FIRE	12/08/1998	APPROVED
REV1	04/03/1998	MUNICIPAL HIGHWAY	04/06/1998	APPROVED
REV1	04/03/1998	MUNICIPAL WATER	04/08/1998	APPROVED
REV1	04/03/1998	MUNICIPAL SEWER	12/04/1998	SUPERSEDED BY REV2
REV1	04/03/1998	MUNICIPAL FIRE	04/07/1998	APPROVED
ORIG	02/09/1998	MUNICIPAL HIGHWAY	02/11/1998	APPROVED
ORIG	02/09/1998	MUNICIPAL WATER	02/09/1998	APPROVED
ORIG	02/09/1998	MUNICIPAL SEWER	02/17/1998	APPROVED
ORIG	02/09/1998	MUNICIPAL FIRE	02/09/1998	APPROVED



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

17 January 2000

RECEIVED

JAN 21 2000

PLANNING BOARD

- Worke 2/00*
- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
 - ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhpa@ptd.net

*cc. S/B number
L. Luis
H. Kroll*

Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

ATTENTION: SUPERVISOR GEORGE J. MEYERS AND TOWN BOARD MEMBERS

SUBJECT: PENNINGS SUBDIVISION - PHASE II
RECOMMENDED PUBLIC IMPROVEMENT BOND AMOUNT
NEW WINDSOR PLANNING BOARD NO. 98-7

Dear Supervisor Meyers and Town Board Members:

The subject subdivision received approval from the Town Planning Board on 9 December 1998. It is necessary at this time that a Public Improvement Bond Estimate be approved for the subdivision, such that the necessary inspection fees may be paid to the Town.

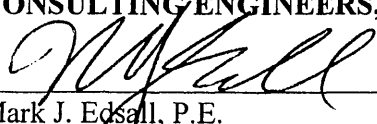
Attached hereto, please find an estimate prepared by the Applicant's Engineer, Pietrzak & Pfau. Please note that the Total Bond Estimate for the work is \$76,066.60. Based on this total amount of public improvements, the Applicant/Developer will be required to pay the Town an inspection fee in an amount of \$3,043.00.

A certain amount of the public improvement work has already been completed in conjunction with Phase I of the project. This work has previously been reviewed by representatives of our office, as well as representatives from the Town Highway Department. Based on these reviews, it is our recommendation that the Town Board authorize reduction of the actual bond to be posted to an amount of \$14,056.00 for the remaining work.

Should you have any questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours,

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.


Mark J. Edsall, P.E.
Town Consulting Engineer
MJEmk Encl.as

MEYERS2.mk

INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE
ONE NEWARK CENTER, 20th FLOOR
NEWARK, NEW JERSEY 07102
201-624-7200
FAX # 201-643-7116



MAILING ADDRESS
P.O. BOX 56
NEWARK, NEW JERSEY 07101

Amount: \$ 14,056

Bond No. NEIFSU0276553

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS THAT WE, Henry VanLeeuwen, Frederick Pennings, Louis VanLeeuwen

as Principal, and

INTERNATIONAL FIDELITY INSURANCE COMPANY, A New Jersey corporation authorized to do business in the State of New Jersey with its main bonding office at One Newark Center, 20th Floor, Newark, New Jersey as Surety, are held and firmly bound unto the Town of New Windsor

as Oblige, in the full and just sum of Fourteen Thousand and Fifty Six

DOLLARS

(\$ 14,056) lawful money of the United States, to the payment of which sum, well and truly to be made, the Principal and the Surety bind themselves, their successors and assigns, jointly and severally, firmly by these presents.

SIGNED, SEALED AND DATED THIS 21 **day of** February 19 **2000**

WHEREAS, the Principal has entered into an agreement with the Town of New Windsor

as Oblige, guaranteeing that the principal will construct, install and complete the improvements Tack coat and asphalt pavement, placement of right-of-way monuments and as-builts for the overall subdivision. at certain land known as, Phase II Pennings Subdivision all of which improvements shall be maintained and completed on or before October 01, 2000

NOW, THEREFORE THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall carry out all the terms of said agreement and perform all the work as set forth therein, all within the time set forth in said agreement, then this obligation shall be null and void; otherwise to remain in full force and effect. **FURTHERMORE**, the rights of the oblige hereunder are exclusive to it and the surety shall have no obligation hereunder to any person or entity other than the named oblige herein. The rights of such oblige are not assignable.

PRINCIPAL:

ATTEST: _____

BY: _____

INTERNATIONAL FIDELITY INSURANCE COMPANY

ATTEST: Victoria A. Hellman

BY: Mary A. Peralta

State of _____ } ss.
County of _____ }
On this _____ day of _____, 19____, before me personally came _____ to me known, and known to me to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he executed the same.

My commission expires _____ Notary Public

State of _____ } ss.
County of _____ }
On this _____ day of _____, 19____, before me personally came _____ to me known and known to me to be a member of the firm of _____ described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed the same as and for the act and deed of said firm.

My commission expires _____ Notary Public

State of _____ } ss.
County of _____ }
On this _____ day of _____, 19____, before me personally came _____, to me known, who being by me duly sworn, did depose and say that he is the _____ of _____ the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

My commission expires _____ Notary Public

State of New York } ss.
County of Orange }
On this 21 day of February, 19~~99~~ 2000, before me personally came Mary A. Pendergast to me known, who, being by me duly sworn, did depose and say that he is an attorney-in-fact of International Fidelity Ins Co the corporation described in and which executed the within instrument; that he knows the corporate seal of said corporation; that the seal affixed to the within instrument is such corporate seal, and that he signed the said instrument and affixed the said seal as Attorney-in-Fact by authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

My commission expires _____
VICTORIA A. HELLMAN
Notary Public, State of New York
County of _____
Commission Expires on 30, 2002.
LIC. # 4714293
Victoria A. Hellman
Notary Public

INTERNATIONAL FIDELITY INSURANCE COMPANY

HOME OFFICE: ONE NEWARK CENTER, 20TH FLOOR
NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing laws of the State of New Jersey, and having its principal office in the City of Newark, New Jersey, does hereby constitute and appoint:

LYNNE MCGARRY, MARY A. PENDERGAST, VICTORIA A. HELLMAN

NY.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise; and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

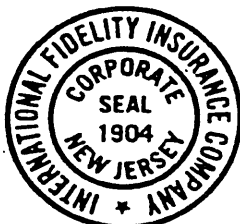
This Power of Attorney is executed, and may be revoked, pursuant to and by authority of Article 3-Section 3, of the By-Laws adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting called and held on the 7th day of February, 1974.

The President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,
- (2) To remove, at any time, any such attorney-in-fact and revoke the authority given.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 29th day of April, 1982 of which the following is a true excerpt:

Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

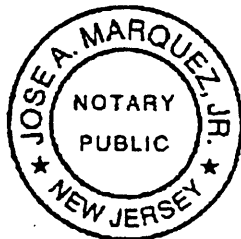


IN TESTIMONY WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 31st day of August, A.D. 1998.

INTERNATIONAL FIDELITY INSURANCE COMPANY

Thomas R. Hentley
Secretary

On this 31st day of August 1998, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said the he is the therein described and authorized officer of the INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Jose A. Marquez, Jr.

A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 21, 2000

CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect

IN TESTIMONY WHEREOF, I have hereunto set my hand this 21 day of February 2000

Maria H. Franco
Assistant Secretary

INTERNATIONAL FIDELITY INSURANCE COMPANY
ONE NEWARK CENTER, 20TH FLOOR, NEWARK, NEW JERSEY 07102-5207

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

AT JUNE 30, 1998

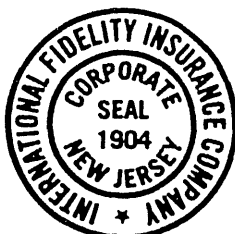
ASSETS

Bonds (Amortized Value)	\$36,610,372
Preferred Stocks	1,770,725
Common Stocks (Market Value)	7,829,125
Mortgage Loans on Real Estate	563,013
Real Estate	34,650
Cash & Bank Deposits	9,637,887
Short Term Investments	839,175
Unpaid Premiums & Assumed Balances	2,854,377
Reinsurance Recoverable on Loss Payments	471,274
Electronic Data Processing Equipment	500,294
Interest & Dividends Due and Accrued	809,199
Funds Held in Escrow Accounts	31,833,366
Collateral Funds Held Under Contract	(31,833,366)
Contract Balances Due and Unpaid	3,821,277
Other Assets	6,218
TOTAL ASSETS	\$65,747,586

LIABILITIES, SURPLUS & OTHER FUNDS

Losses (Reported Losses Net as to Reinsurance Ceded and Incurred But Not Reported Losses)	\$10,125,847
Loss Adjustment Expenses	4,113,304
Contingent Commissions & Other Similar Charges	(3,280,508)
Other Expenses (Excluding Taxes, Licenses and Fees)	196,857
Taxes, Licenses & Fees (Excluding Federal Income Tax)	14,835
Federal and Foreign Income Taxes Payable	241,103
Unearned Premiums	14,550,667
Amounts Withheld by Company for Account of Others	221,570
Liability for Unauthorized Reinsurance	41,324
Other Liabilities	159
TOTAL LIABILITIES	\$26,225,158
Common Capital Stock	\$1,500,000
Gross Paid-in & Contributed Surplus	374,600
Unassigned Funds (Surplus)	37,647,828
Surplus as Regards Policyholders	39,522,428
TOTAL LIABILITIES, SURPLUS & OTHER FUNDS	\$65,747,586

I, Francis L. Mitterhoff, President of INTERNATIONAL FIDELITY INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, June 30, 1998 as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of New Jersey.



IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this 14th day of August, 1998.

INTERNATIONAL FIDELITY INSURANCE COMPANY


President

AGREEMENT OF INDEMNITY

THIS AGREEMENT of Indemnity, made and entered into this 21 day of
February 2000, by Henry VanLeeuwen & Louis VanLeeuwen
70 Windsor Highway, New Windsor, NY 12553 (Insert full name and address of Contractor)
(hereinafter called the Contractor) and
Henry VanLeeuwen & Louis VanLeeuwen, 70 Windsor Highway, New Windsor, NY 12553
Frederick Pennings, Shore Drive, New Windsor, NY 12553 (Insert full names and addresses of Indemnitors, if any)
(hereinafter called the Indemnitors, if any) and
INTERNATIONAL FIDELITY INSURANCE COMPANY (hereinafter called Surety),
(Insert name and address of Surety)

WITNESSETH:

WHEREAS, the Contractor, in the performance of contracts and the fulfillment of obligations generally, whether in its own name solely or as co-adventurer with others, may desire, or be required to give or procure certain surety bonds, undertakings or instruments of guarantee, and to renew, or continue or substitute the same from time to time; or new bonds, undertakings or instruments of guarantee with the same or different penalties, and/or conditions, may be desired or required, in renewal, continuation, extension or substitution thereof; any one or more of which are hereinafter called Bonds; or the Contractor or Indemnitors may request the Surety to refrain from cancelling said Bonds; and

WHEREAS, at the request of the Contractor and the Indemnitors and upon the express understanding that this Agreement of Indemnity should be given, the Surety has executed or procured to be executed, and may from time to time hereafter execute or procure to be executed, said Bonds on behalf of the Contractor; and

WHEREAS, the Indemnitors have a substantial, material and beneficial interest in the obtaining of the Bonds or in the Surety's refraining from cancelling said Bonds.

NOW, THEREFORE, in consideration of the premises the Contractor and Indemnitors for themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, hereby covenant and agree with the Surety, its successors and assigns, as follows:

PREMIUMS

FIRST: The Contractor and Indemnitors will pay to the Surety in such manner as may be agreed upon all premiums and charges of the Surety for the Bonds in accordance with its rate filings, its manual of rates, or as otherwise agreed upon, until the Contractor or Indemnitors shall serve evidence satisfactory to the Surety of its discharge or release from the Bonds and all liability by reason thereof.

INDEMNITY

SECOND: The Contractor and Indemnitors shall exonerate, indemnify, and keep indemnified the Surety from and against any and all liability for losses and/or expenses of whatsoever kind or nature (including, but not limited to, interest, court costs and counsel fees) and from and against any and all such losses and/or expenses which the Surety may sustain and incur: (1) By reason of having executed or procured the execution of the Bonds, (2) By reason of the failure of the Contractor or Indemnitors to perform or comply with the covenants and conditions of this Agreement or (3) In enforcing any of the covenants and conditions of this Agreement. Payment by reason of the aforesaid causes shall be made to the Surety by the Contractor and Indemnitors as soon as liability exists or is asserted against the Surety, whether or not the Surety shall have made any payment therefor. Such payment shall be equal to the amount of the reserve set by the Surety. In the event of any payment by the Surety the Contractor and Indemnitors further agree that in any accounting between the Surety and the Contractor, or between the Surety and the Indemnitors, or either or both of them, the Surety shall be entitled to charge for any and all disbursements made by it in good faith in and about the matters herein contemplated by this Agreement under the belief that it is or was liable for the sums and amounts so disbursed, or that it was necessary or expedient to make such disbursements, whether or not such liability, necessity or expediency existed; and that the vouchers or other evidence of any such payments made by the Surety shall be prima facie evidence of the fact and amount of the liability to the Surety.

ASSIGNMENT

THIRD: The Contractor, the Indemnitors hereby consenting, will assign, transfer and set over, and does hereby assign, transfer and set over to the Surety, as collateral, to secure the obligations in any and all of the paragraphs of this Agreement and any other indebtedness and liabilities of the Contractor to the Surety, whether heretofore or hereafter incurred, the assignment in the case of each contract to become effective as of the date of the bond covering such contract, but only in the event of (1) any abandonment, forfeiture or breach of any contracts referred to in the Bonds or of any breach of any said Bonds; or (2) of any breach of the provisions of any of the paragraphs of this Agreement; or (3) of a default in discharging such other indebtedness or liabilities when due; or (4) of any assignment by the Contractor for the benefit of creditors, or of the appointment, or of any application for the appointment, of a receiver or trustee for the Contractor whether insolvent or not; or (5) of any proceeding which deprives the Contractor of the use of any of the machinery, equipment, plant, tools or material referred to in section (b) of this paragraph; or (6) of the Contractor's dying, absconding, disappearing, incompetency, being convicted of a felony, or imprisoned if the Contractor be an individual. (a) All the rights of the Contractor in, and growing in any manner out of, all contracts referred to in the Bonds, or in, or growing in any manner out of the Bonds; (b) All the rights, title and interest of the Contractor in and to all machinery, equipment, plant, tools and materials which are now, or may hereafter be, about or upon the site or sites of any and all of the contractual work referred to in the Bonds or elsewhere, including materials purchased for or chargeable to any and all contracts referred to in the bonds, materials which may be in process of construction, in storage elsewhere, or in transportation to any and all of said sites; (c) All the rights, title and interest of the Contractor in and to all subcontracts let or to be let in connection with any and all contracts referred to in the Bonds, and in and to all surety bonds supporting such subcontracts; (d) All actions, causes of actions, claims and demands whatsoever which the Contractor may have or acquire against any subcontractor, laborer or materialman, or any person furnishing or agreeing to furnish or supply labor, material, supplies, machinery, tools or other equipment in connection with or on account of any and all contracts referred to in the Bonds; and against any surety or sureties of any subcontractor, laborer, or materialman; (e) Any and all percentages retained and any and all sums that may be due or hereafter become due on account of any and all contracts referred to in the Bonds and all other contracts whether bonded or not in which the Contractor has an interest.

TRUST FUND

FOURTH: If any of the Bonds are executed in connection with a contract which by its terms or by law prohibits the assignment of the contract price, or any part thereof, the Contractor and Indemnitors covenant and agree that all payments received for or on account of said contract shall be held as a trust fund in which the Surety has an interest, for the payment of obligations incurred in the performance of the contract and for labor, materials, and services furnished in the prosecution of the work provided in said contract or any authorized extension or modification thereof; and, further, it is expressly understood and declared that all monies due and to become due under any contract or contracts covered by the Bonds are trust funds, whether in the possession of the Contractor or Indemnitors or otherwise, for the benefit of and for payment of all such obligations in connection with any such contract or contracts for which the Surety would be liable under any of said Bonds, which said trust also inures to the benefit of the Surety for any liability or loss it may have or sustain under any said Bonds, and this Agreement and declaration shall also constitute notice of such trust.

UNIFORM COMMERCIAL CODE

FIFTH: That this Agreement shall constitute a Security Agreement to the Surety and also a Financing Statement, both in accordance with the provisions of the Uniform Commercial Code of every jurisdiction wherein such Code is in effect and may be so used by the Surety without in any way abrogating, restricting or limiting the rights of the Surety under this Agreement or under law, or in equity.

TAKEOVER

SIXTH: In the event of any breach, delay or default asserted by the obligee in any said Bonds, or the Contractor has suspended or ceased work on any contract or contracts covered by any said Bonds, or failed to pay obligations incurred in connection therewith, or in the event of the death, disappearance, Contractor's conviction for a felony, imprisonment, incompetency, insolvency, or bankruptcy of the Contractor, or the appointment of a receiver or trustee for the Contractor, or the property of the Contractor, or in the event of an assignment for the benefit of creditors of the Contractor, or if any action is taken by or against the Contractor under or by virtue of the National Bankruptcy Act, or should reorganization or arrangement proceedings be filed by or against the Contractor under said Act, or if any action is taken by or against the Contractor under the insolvency laws of any state, possession, or territory of the United States the Surety shall have the right, at its option and in its sole discretion and is hereby authorized, with or without exercising any other right or option conferred upon it by law or in the terms of this Agreement, to take possession of any part or all of the work under any contract or contracts covered by any said Bonds, and at the expense of the Contractor and Indemnitors to complete or arrange for the completion of the same, and the Contractor and Indemnitors shall promptly upon demand pay to the Surety all losses, and expenses so incurred.

CHANGES

SEVENTH: The Surety is authorized and empowered, without notice to or knowledge of the Indemnitors to assent to any change whatsoever in the Bonds, and/or any contracts referred to in the Bonds, and/or in the general conditions, plans and/or specifications accompanying said contracts, including, but not limited to, any change in the time for the completion of said contracts and to payments or advances thereunder before the same may be due, and to assent to or take any assignment or assignments, to execute or consent to the execution of any continuations, extensions or renewals of the Bonds and to execute any substitute or substitutes therefor, with the same or different conditions, provisions and obligees and with the same or larger or smaller penalties, it being expressly understood and agreed that the Indemnitors shall remain bound under the terms of this Agreement even though any such assent by the Surety does or might substantially increase the liability of said Indemnitors.

ADVANCES

EIGHTH: The Surety is authorized and empowered to guarantee loans, to advance or lend to the Contractor any money, which the Surety may see fit, for the purpose of any contracts referred to in, or guaranteed by the Bonds; and all money expended in the completion of any such contracts by the Surety, or lent or advanced from time to time to the Contractor, or guaranteed by the Surety for the purposes of any such contracts, and all costs, and expenses incurred by the Surety in relation thereto, unless repaid with legal interest by the Contractor to the Surety when due, shall be presumed to be a loss by the Surety for which the Contractor and the Indemnitors shall be responsible, notwithstanding that said money or any part thereof should not be so used by the Contractor.

BOOKS AND RECORDS

NINTH: At any time, and until such time as the liability of the Surety under any and all said Bonds is terminated, the Surety shall have the right to reasonable access to the books, records, and accounts of the Contractor and Indemnitors; and any bank depository, materialman, supply house, or other person, firm, or corporation when requested by the Surety is hereby authorized to furnish the Surety any information requested including, but not limited to, the status of the work under contracts being performed by the Contractor, the condition of the performance of such contracts and payments of accounts.

DECLINE EXECUTION

TENTH: Unless otherwise specifically agreed in writing, the Surety may decline to execute any Bond and the Contractor and Indemnitors agree to make no claim to the contrary in consideration of the Surety's receiving this Agreement; and if the Surety shall execute a Bid or Proposal Bond, it shall have the right to decline to execute any and all of the bonds that may be required in connection with any award that may be made under the proposal for which the Bid or Proposal Bond is given and such declination shall not diminish or alter the liability that may arise by reason of having executed the Bid or Proposal Bond.

NOTICE OF EXECUTION

ELEVENTH: The Indemnitors hereby waive notice of the execution of said Bonds and of the acceptance of this Agreement, and the Contractor and the Indemnitors hereby waive all notice of any default, or any other act or acts giving rise to any claim under said Bonds, as well as notice of any and all liability of the Surety under said Bonds, and any and all liability on their part hereunder, to the end and effect that, the Contractor and the Indemnitors shall be and continue liable hereunder, notwithstanding any notice of any kind to which they might have been or be entitled, and notwithstanding any defenses they might have been entitled to make.

HOMESTEAD

TWELFTH: The Contractor and the Indemnitors hereby waive, so far as their respective obligations under this Agreement are concerned, all rights to claim any of their property, including their respective homesteads, as exempt from levy, execution, sale or other legal process under the laws of any State, Territory, or Possession.

SETTLEMENTS

THIRTEENTH: The Surety shall have the right to adjust, settle or compromise any claim, demand, suit or judgment upon the Bonds, unless the Contractor and the Indemnitors shall request the Surety to litigate such claim or demand, or to defend such suit, or to appeal from such judgment, and shall deposit with the Surety, at the time of such request, cash or collateral satisfactory to the Surety in kind and amount, to be used in paying any judgment or judgments rendered or that may be rendered, with interest, costs, expenses and attorneys' fees, including those of the Surety.

SURETIES

FOURTEENTH: In the event the Surety procures the execution of the Bonds by other sureties, or executes the Bonds with co-sureties, or reinsures any portion of said Bonds with reinsuring sureties, then all the terms and conditions of this Agreement shall inure to the benefit of such other sureties, co-sureties and reinsuring sureties, as their interests may appear.

SUITS

FIFTEENTH: Separate suits may be brought hereunder as causes of action accrue, and the bringing of suit or the recovery of judgment upon any cause of action shall not prejudice or bar the bringing of other suits upon other causes of action, whether theretofore or thereafter arising.

OTHER INDEMNITY

SIXTEENTH: That the Contractor and the Indemnitors shall continue to remain bound under the terms of this Agreement even though the Surety may have from time to time heretofore or hereafter, with or without notice to or knowledge of the Contractor and the Indemnitors, accepted or released other agreements of indemnity or collateral in connection with the execution or procurement of said Bonds, from the Contractor or Indemnitors or others, it being expressly understood and agreed by the Contractor and the Indemnitors that any and all other rights which the Surety may have or acquire against the Contractor and the Indemnitors and/or others under any such other or additional agreements of indemnity or collateral shall be in addition to, and not in lieu of, the rights afforded the Surety under this Agreement.

INVALIDITY

SEVENTEENTH: In case any of the parties mentioned in this Agreement fail to execute the same, or in case the execution hereof by any of the parties be defective or invalid for any reason, such failure, defect or invalidity shall not in any manner affect the validity of this Agreement or the liability hereunder of any of the parties executing the same, but each and every party so executing shall be and remain fully bound and liable hereunder to the same extent as if such failure, defect or invalidity had not existed. It is understood and agreed by the Contractor and Indemnitors that the rights, powers, and remedies given the Surety under this Agreement shall be and are in addition to, and not in lieu of, any and all other rights, powers, and remedies which the Surety may have or acquire against the Contractor and Indemnitors or others whether by the terms of any other agreement or by operation of law or otherwise.

ATTORNEY IN FACT

EIGHTEENTH: The Contractor and Indemnitors hereby irrevocably nominate, constitute, appoint and designate the Surety as their attorney-in-fact with the right, but not the obligation, to exercise all of the rights of the Contractor and Indemnitors assigned, transferred and set over to the Surety in this Agreement, and in the name of the Contractor and Indemnitors to make, execute, and deliver any and all additional or other assignments, documents or papers deemed necessary and proper by the Surety in order to give full effect not only to the intent and meaning of the within assignments, but also to the full protection intended to be herein given to the Surety under all other provisions of this Agreement. The Contractor and Indemnitors hereby ratify and confirm all acts and actions taken and done by the Surety as such attorney-in-fact.

TERMINATION

NINETEENTH: This Agreement may be terminated by the Contractor or Indemnitors upon twenty days' written notice sent by registered mail to the Surety at its home office at.....Newark, New Jersey..... but any such notice of termination shall not operate to modify, bar, or discharge the Contractor or the Indemnitors as to the Bonds that may have been theretofore executed.

TWENTIETH: This Agreement may not be changed or modified orally. No change or modification shall be effective unless made by written endorsement executed to form a part hereof.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year first above written.

ATTEST OR WITNESS:

.....
(Full Name & Address of Contractor)

By.....(SEAL)

Henry VanLeeuwen, 70 Windsor Highway, New Windsor, NY 12553 (SEAL)
(Full Name & Address of Indemnitor)

Louis VanLeeuwen, 70 Windsor Highway, New Windsor, NY 12553 (SEAL)
(Full Name & Address of Indemnitor)

Frederick Pennings, Shore Drive, New Windsor, NY 12553
(Full Name & Address of Indemnitor)

By.....(SEAL)

INTERNATIONAL FIDELITY INSURANCE COMPANY

(Surety)

By.....(SEAL)

For Acknowledgment of Contractor's Signature

INDIVIDUAL ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:

On this.....day of....., in the year 19....., before me personally come(s).....
to me known and known to me to be the person(s) who (is) (are) described in and who executed the foregoing instrument and acknowledge(s) to me that.....he.....executed the same.

.....
(Signature and title of official taking acknowledgment)

(Notary)

PARTNERSHIP ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:

On this.....day of....., in the year 19....., before me personally comes.....
a member of the co-partnership of.....
to me known and known to me to be the person who is described in and who executed the foregoing instrument, and acknowledges to me that he executed the same as and for the act and deed of the said co-partnership.

.....
(Signature and title of official taking acknowledgment)

(Notary)

CORPORATE ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:

On this.....day of....., in the year 19....., before me personally comes.....
to me known, who, being by me duly sworn, deposes and says that he resides in the City of.....
that he is the.....of the.....
the corporation described in and which executed the foregoing instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

.....
(Signature and title of official taking acknowledgment)

(Notary)

For Acknowledgment of Indemnitor's Signatures

INDIVIDUAL ACKNOWLEDGMENT

STATE OF New York }
COUNTY OF Orange } ss.:
On this 25th day of February, in the year 2000, before me personally come(s)
Henry Van Leeuwen
to me known and known to me to be the person(s) who (is) (are) described in and who executed the foregoing instrument and acknowledge(s) to me
that.....he.....executed the same
CHARLOTTE PACENZA
Notary Public, State of New York
Qualified in Orange County
No. 4715889
Term Expires September 30 2000
(Signature and title of official taking acknowledgment)
Charlotte Pacenza
(Notary)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF New York }
COUNTY OF Orange } ss.:
On this 25th day of February, in the year 2000, before me personally come(s)
Louis Van Leeuwen
to me known and known to me to be the person(s) who (is) (are) described in and who executed the foregoing instrument and acknowledge(s) to me
that.....he.....executed the same
CHARLOTTE PACENZA
Notary Public, State of New York
Qualified in Orange County
No. 4715889
Term Expires September 30 2000
(Signature and title of official taking acknowledgment)
Charlotte Pacenza
(Notary)

PARTNERSHIP ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:
On this..... day of....., in the year 19....., before me personally comes
.....
a member of the co-partnership of.....
to me known and known to me to be the person who is described in and who executed the foregoing instrument, and acknowledges to me that he
executed the same as and for the act and deed of the said co-partnership.
.....
(Signature and title of official taking acknowledgment)
(Notary)

CORPORATE ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:
On this..... day of....., in the year 19....., before me personally comes
.....
to me known, who, being by me duly sworn, deposes and says that he resides in the City of.....
that he is the..... of the.....
the corporation described in and which executed the foregoing instrument; that he knows the seal of the said corporation; that the seal affixed to the
said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name
thereto by like order.
.....
(Signature and title of official taking acknowledgment)
(Notary)

For Acknowledgment of Contractor's Signature

INDIVIDUAL ACKNOWLEDGMENT

STATE OF.....
COUNTY OF..... } ss.:

On this.....day of....., in the year 19....., before me personally come(s)

.....
to me known and known to me to be the person(s) who (is) (are) described in and who executed the foregoing instrument and acknowledge(s) to me that.....he.....executed the same.

.....
(Signature and title of official taking acknowledgment)

(Notary)

PARTNERSHIP ACKNOWLEDGMENT

STATE OF.....
COUNTY OF..... } ss.:

On this.....day of....., in the year 19....., before me personally comes

.....
a member of the co-partnership of.....
to me known and known to me to be the person who is described in and who executed the foregoing instrument, and acknowledges to me that he executed the same as and for the act and deed of the said co-partnership.

.....
(Signature and title of official taking acknowledgment)

(Notary)

CORPORATE ACKNOWLEDGMENT

STATE OF.....
COUNTY OF..... } ss.:

On this.....day of....., in the year 19....., before me personally comes

.....
to me known, who, being by me duly sworn, deposes and says that he resides in the City of.....
that he is the.....of the.....
the corporation described in and which executed the foregoing instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

.....
(Signature and title of official taking acknowledgment)

(Notary)

For Acknowledgment of Indemnitor's Signatures

INDIVIDUAL ACKNOWLEDGMENT

STATE OF New York }
COUNTY OF Orange } ss.:
On this 25th day of February, in the year 2000, before me personally come(s)
Fredrick Pennings
to me known and known to me to be the person(s) who (is) (are) described in and who executed the foregoing instrument and acknowledge(s) to me
that.....he.....executed the same.
Notary Public, State of New York
Qualified in Orange County
No. 4715839
Term Expires September 30, 2000
Carolyn L. Agneta
(Signature and title of official taking acknowledgment)
(Notary)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:
On this.....day of....., in the year 19....., before me personally come(s)
.....
to me known and known to me to be the person(s) who (is) (are) described in and who executed the foregoing instrument and acknowledge(s) to me
that.....he.....executed the same.
.....
(Signature and title of official taking acknowledgment)
(Notary)

PARTNERSHIP ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:
On this.....day of....., in the year 19....., before me personally comes
.....
a member of the co-partnership of.....
to me known and known to me to be the person who is described in and who executed the foregoing instrument, and acknowledges to me that he
executed the same as and for the act and deed of the said co-partnership.
.....
(Signature and title of official taking acknowledgment)
(Notary)

CORPORATE ACKNOWLEDGMENT

STATE OF..... }
COUNTY OF..... } ss.:
On this.....day of....., in the year 19....., before me personally comes
.....
to me known, who, being by me duly sworn, deposes and says that he resides in the City of.....
that he is the.....of the.....
the corporation described in and which executed the foregoing instrument; that he knows the seal of the said corporation; that the seal affixed to the
said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name
thereto by like order.
.....
(Signature and title of official taking acknowledgment)
(Notary)

TOWN OF NEW WINDSOR
ENGINEER AND PLANNING BOARD OFFICE

MEMORANDUM

TO: PHIL CROTTY, ATTORNEY FOR THE TOWN

FROM: MYRA MASON, SECRETARY TO THE P.B.

DATE: FEBRUARY 17, 2000

SUBJECT: PENNINGS SUBDIVISION – PERFORMANCE BONDS
PHASE I & II

Dear Phil:

Please find attached copies of the bonds for subject subdivision. Mark Edsall has questioned the fact that these two bonds are labeled "Maintenance Bonds". The bond for Phase I of the subdivision should have been a reduction in the original performance bond. The bond for Phase II of the subdivision was to establish a performance bond for this phase.

Please let me know if this needs to be corrected prior to the plans being stamped approved. Thank you.

Myra

2/17/2000

TO: MYRA

MARK IS RIGHT. NEED TO
BE FIXED -

Phil 2/25/00
Phil approved revisions
by phone.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(814) 563-4611

RECEIPT
#92-2000

02/15/2000

Development, Four Dutchman

Received \$ 410.00 for Planning Board Fees, on 02/15/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

OB # 98-7

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/15/2000

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2
APPLICANT: PENNINGS, EDWARD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/09/1998	REC. CK. #1038	PAID		750.00	
02/11/1998	P.B. ATTY. FEE	CHG	35.00		
02/11/1998	P.B. MINUTES	CHG	18.00		
03/11/1998	P.B. ATTY FEE	CHG	35.00		
03/11/1998	P.B. MINUTES	CHG	22.50		
04/08/1998	P.B. ATTY. FEE	CHG	35.00		
04/08/1998	P.B. MINUTES	CHG	13.50		
12/09/1998	P.B. ATTY. FEE	CHG	35.00		
12/09/1998	P.B. MINUTES	CHG	9.00		
02/10/2000	P.B. ENGINEER FEE	CHG	558.50		
02/15/2000	REC. CK. #1071	PAID		11.50	
TOTAL:			761.50	761.50	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/15/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2

APPLICANT: PENNINGS, EDWARD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/10/2000	5 LOTS REC. FEE	CHG	2500.00		
02/15/2000	REC. CK. #1072 5 LOTS @50	PAID		2500.00	
			-----	-----	-----
		TOTAL:	2500.00	2500.00	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/15/2000

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2
APPLICANT: PENNINGS, EDWARD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/10/2000	4% OF BOND EST. (\$76,066.	CHG	3043.00		
02/15/2000	REC. CK#1070	PAID		3043.00	
			-----	-----	-----
		TOTAL:	3043.00	3043.00	0.00

Jan R.

AS OF 02/10/2000

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87 56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN TOWN OF NEW WINDSOR

TASK: 58- /

FOR WORK DONE PRIOR TO: 02/10/2000

TASK NO	REC	DATE	TRAN	LMP	ACT DESCRIPTION	RATE	HRS.	TIME	DOLLARS		
									EXP.	BILLED	BALANCE
98-7	113061	01/21/98	TIME	MJL	WS PENNINGS (SIACFWSCT)	75.00	0.40	30.00			
98-7	113469	02/04/98	TIME	MJE	WS PENNINGS SUBD	75.00	0.50	37.50			
98-7	113921	02/10/98	TIME	MCK	CL PENNINGS RVW COMM	28.00	0.50	14.00			
98-7	113924	02/10/98	TIME	MCK	CL PENNINGS LEAD AGENCY	28.00	0.50	14.00			
98-7	114239	02/10/98	TIME	MJE	MC PENNINGS	75.00	0.60	45.00			
98-7	114253	02/19/98	TIME	MJE	MC PENNINGS L/A COORD	75.00	0.30	22.50			
98-7	114255	02/19/98	TIME	MJE	PM PULIAR PENNINGS	75.00	0.30	22.50			
98-7	114256	02/19/98	TIME	MJE	MC LTR PENNINGS	75.00	0.30	22.50			
98-7	114063	02/20/98	TIME	MCK	CL PENNINGS LIAJ AG COO	28.00	1.50	42.00			
98-7	114065	02/20/98	TIME	MCK	CL PENNINGS LTR PRAD	28.00	0.50	14.00			
								264.00			
98-7	114059	02/20/98			EXP. POSTAGE				5.32		
									5.32		
98-7	115240	02/28/98			BILL 98-357 3/16/98					-269.32	
										-269.32	
98-7	115107	03/10/98	TIME	MCK	CL PENNINGS RVW COMM	28.00	0.50	14.00			
98-7	115157	03/10/98	TIME	MJE	MC PENNINGS	75.00	0.50	37.50			
98-7	116499	04/01/98	TIME	MJL	WS PENNINGS S/P	75.00	0.40	30.00			
98-7	116536	04/08/98	TIME	SAS	CL PENNINGS MAJOR SUBD	28.00	0.50	14.00			
98-7	116912	04/08/98	TIME	MJE	MC PENNINGS	75.00	0.50	37.50			
								133.00			
98-7	117737	04/30/98			BILL 98-591 5/13/98					133.00	
										133.00	
98-7	128412	12/02/98	TIME	MJL	WS PENNINGS	75.00	0.40	30.00			
98-7	128806	12/09/98	TIME	MCK	CL PENNINGS RVW COMMENT	28.00	0.50	14.00			
98-7	128650	12/09/98	TIME	MJE	MM PENNINGS SUB APPL	75.00	0.10	7.50			
98-7	129177	12/09/98	TIME	MJL	MC PENNINGS	75.00	0.40	30.00			
								81.50			
98-7	129984	12/31/98			BILL 99-135 1/15/99					81.50	
										81.50	
98-7	150355	12/08/99	TIME	MJE	MM REAPPROVE PENNINGS	0.00	0.10	0.00			
98-7	153974	01/13/00	TIME	MJE	MC PII BOND FST/TB LTR	80.00	0.40	32.00			
98-7	154965	02/09/00	TIME	MJE	MC BOND REQ	80.00	0.50	24.00			
98-7	154966	02/10/00	TIME	MJE	MC LTR KIPP BOND REQ	80.00	0.30	24.00			
								558.50	5.32	483.82	80.00
					TASK TOTAL			558.50	5.32	483.82	80.00
					GRAND TOTAL			558.50	5.32	483.82	80.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/14/2000

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2
APPLICANT: PENNINGS, EDWARD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/10/2000	4% OF BOND EST. (\$76,066.	CHG	3043.00		
			-----	-----	-----
		TOTAL:	3043.00	0.00	3043.00

(1)

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/14/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2
APPLICANT: PENNINGS, EDWARD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/09/1998	REC. CK. #1038	PAID		750.00	
02/11/1998	P.B. ATTY. FEE	CHG	35.00		
02/11/1998	P.B. MINUTES	CHG	18.00		
03/11/1998	P.B. ATTY FEE	CHG	35.00		
03/11/1998	P.B. MINUTES	CHG	22.50		
04/08/1998	P.B. ATTY. FEE	CHG	35.00		
04/08/1998	P.B. MINUTES	CHG	13.50		
12/09/1998	P.B. ATTY. FEE	CHG	35.00		
12/09/1998	P.B. MINUTES	CHG	9.00		
02/10/2000	P.B. ENGINEER FEE	CHG	558.50		
	TOTAL:		761.50	750.00	11.50

(2)

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/14/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2
APPLICANT: PENNINGS, EDWARD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/10/2000	5 LOTS REC. FEE	CHG	2500.00		
			-----	-----	-----
		TOTAL:	2500.00	0.00	2500.00

3

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/14/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2

APPLICANT: PENNINGS, EDWARD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/09/1998	APPROVAL FEE	CHG	280.00		
12/08/1999	RE-APPROVAL FEE	CHG	130.00		
			-----	-----	
		TOTAL:	410.00	0.00	410.00

410.00

4

MINOR SUBDIVISION FEES:

ESCROW:

RESIDENTIAL:

LOTS @	75.00	(ANY OVER 4 LOTS)\$
--------	-------	-------------------	---------

COMMERCIAL:

LOTS @ 200.00 (ANY OVER 4 LOTS).....\$

TOTAL ESCROW DUE.....\$

* * * * *

BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ $\frac{280.00}{130.00}$ } \$410.00

* * * * *

5 LOTS @ \$500.00 PER LOT\$2,500.00

* * * * *

OTHER.....\$ 11.50

* * * * *

PERFORMANCE BOND AMOUNT.....\$ 76,066.60

4% OF ABOVE AMOUNT.....\$ 3043.00

ESTIMATE OF PRIVATE IMPROVEMENTS: \$

2% OF APPROVED COST ESTIMATE:.....\$ _____
(INSPECTION FEE)

Legal Description
Prepared for Pennings Major Subdivision Phase I & II
Dutchman Drive right away Phase II
Offer of Dedication
Section Block Lot
P&P No. 96134.05

All that parcel of land, lying, situate, and being in the Town of New Windsor, County of Orange, State of New York, and being more accurately described as follows:

BEGINNING at a point on the northeasterly sideline of Dutchman Drive said point being a point in common with lot 4, as shown on a map entitled "Pennings Subdivision" filed with the Orange County Clerk's Office on February 26, 1997, as Map No. 39-97; and running thence $S16^{\circ}18'52"W$ 50.09 feet to a point in common with the southwesterly sideline of Dutchman Drive, said point also being a point in common with lands now or formerly of Saldewski (Sect. 54 Blk. 1 Lot 3.2) (Liber 2071, Page 895); Thence along said sideline $N70^{\circ}11'32"W$ 17.52 feet to a point of curvature thence on a curve to the right with a radius of 125.00 feet and an arc length of 157.59 feet to a point of tangency, said point being a point in common with lot 10, as shown on map entitled "Pennings Major Subdivision Phase I & II", Phase II Subdivision plan; thence $N02^{\circ}02'30"E$ 112.04 feet to a point of curvature, said point being a point in common with lot 8 as shown on the above mention map; thence on a curve to the left with a radius of 35.00 feet and an arc length of 32.46 feet to a point of reverse curvature, said point being a point in common with lot 7, as shown on the above mention map; thence on a curve to the right with a radius of 65.00 feet and an arc length of 324.74 feet to a point of reverse curvature; thence on a curve to the left with a radius of 35.00 feet and an arc length of 32.46 feet to a point of tangency; thence $S02^{\circ}02'30"W$ 112.04 feet to a point of curvature; thence on a curve to the left with a radius of 75.00 feet and an arc length of 94.55 feet to a point of tangency; thence $S70^{\circ}11'32"E$ 14.46 feet to the point or place of beginning.

Containing 0.621 acres of land.

Subject to any easements or agreements, if any.

MC/hg
 pmm:mgf

CONSTRUCTION COST ESTIMATES

PROJECT: PENNINGS SUBDIVISION
LOCATION: TOWN OF NEW WINDSOR

By: DW
Checked: KR

11/30/99
11/30/99

(PHASE 2 ONLY)

ITEM NUMBER	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE MAT. & LAB.	ESTIMATED AMOUNT
1	ROADWAY 2" WEARING COURSE	1657	SY	\$4.23	\$7,009.11
	TOTAL				\$7,009.11

NOTE: 1) Values referenced from Site Work and Landscape Cost Data as published by R. S. Means Co.
19th Edition, Copyright 1999

CONSTRUCTION COST ESTIMATES

PROJECT: PENNINGS SUBDIVISION

By DW

11/30/99

LOCATION: TOWN OF NEW WINDSOR

Checked: KR

11/30/99

(PHASE 2 ONLY)

ITEM NUMBER	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE MAT. & LAB.	ESTIMATED AMOUNT
1	ROADWAY 2" WEARING COURSE	1657	SY	\$4.23	\$7,009.11
	TOTAL				\$7,009.11

NOTE 1) Values referenced from Site Work and Landscape Cost Data as published by R.S. Means Co.
19th Edition, Copyright 1999



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Classick Ave. (P.O. Box 111)
New Windsor, New York 12552
(914) 562-8540
- ☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18135
(717) 296-2765

amf

FACSIMILE MEMORANDUM

TO: Joe Pfa ATTN: _____ FAX NO. 294-0610

FROM: Mark Edsall FAX NO.: 914-562-1413

DATE SENT: 12-28-99 TIME SENT: 10:10 AM
PM _____

PAGES SENT: cover + 1

MESSAGE: _____

Regarding the attached bond estimate, please
set same up in standard N/W format. Break
into Phase I and Phase II (there were two
separate approvals). Also provide a spread sheet
with quantity, unit price and extended total.
Fax draft copy to me ASAP for preliminary
review.

Mark

TELEPHONE OR FAX ACKNOWLEDGEMENT OF THIS TRANSMISSION IS REQUESTED:

YES _____ NO _____

RECEIPT ACKNOWLEDGED _____

A: FAX2-95.mk

Licensed in New York, New Jersey and Pennsylvania

TOTAL P.01

CORRESPONDENCE

PENNINGS SUBDIVISION PHASE II (99-7)

MR. PETRO: Phase 2 on Lake Road request for reapproval, I'll read into the minutes. "Dear Myra: Consistent with our telephone conversation of today, this letter shall serve as a request to place the above referenced project on the next planning board agenda for consideration of reapproval." And it's from Pietryzak and Pfau.

MR. LANDER: Is this Dutchman Lane?

MR. EDSALL: Yes. Be advised that the developer is in the process of constructing the roads, they recently completed some paving and I didn't know that their approval had expired until Myra told me.

MR. PETRO: 180 days?

MR. EDSALL: That's complete new reapproval.

MR. PETRO: Of the final subdivision?

MR. EDSALL: I spoke with Mike and based to the best of our knowledge, there's been no change in any of the zoning, not aware of any of the changes.

MR. PETRO: Existing SEQRA would stay in effect, not changing anything?

MR. EDSALL: Reapproval.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board reapprove the Pennings subdivision Phase 2 on Lake Road as final approval. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

December 8, 1999

42

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

PENNINGS SUBDIVISION (98-7)

MR. PETRO: Six lots request for 90 day extension of conditional approval granted December of 1998. "Dear Members: Please let this letter serve as our request to place the above referenced matter on the May 26 Planning Board agenda for extension of the final approval granted at the December, 1998 Planning Board meeting." And the rest of it is not pertinent. Signed Pietrzak & Pfau, Barbara Berger. Mark, any problem with this one?

MR. EDSALL: No, I'd say you can extend this as well.

MR. PETRO: Same as the first, correct?

MR. STENT: Make a motion.

MR. KRIEGER: He's requesting one 90.

MR. PETRO: Unclogs the board.

MR. KRIEGER: If he doesn't need it, he doesn't need it.

MR. STENT: Motion we grant two 90 day extensions to the Pennings subdivision.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant two 90 day extensions conditional approval for the Pennings subdivision. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

RESULTS OF P.B. MEETING OF : December 9, 1998

PROJECT: Permits Sub.

P.B.# 98-7

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y___ N___

M)___ S)___ VOTE: A___ N___

2. TAKE LEAD AGENCY: Y___N___

CARRIED: YES___NO___

M)___S)___ VOTE: A___N___

CARRIED: YES NO

WAIVE PUBLIC HEARING: M)___S)___ VOTE: A___N___ WAIVED: Y___N___

SCHEDULE P.H. Y__N__

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) 5 S) 1 VOTE: A 4 N 0 APPROVED CONDITIONALLY: 12-9-98

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

Need Public Road Imp. Bond.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



REVIEW NAME: PENNINGS MAJOR SUBDIVISION
PROJECT LOCATION: DUTCHMAN DRIVE (OFF LAKE ROAD)
SECTION 54-BLOCK 1-LOT 3.15
PROJECT NUMBER: 98-7
DATE: 9 DECEMBER 1998
DESCRIPTION: THE APPLICATION PROPOSES THE RE-SUBDIVISION OF
THE REMAINDER PARCEL OF THE FORMER PENNINGS
SUBDIVISION INTO SIX (6) SINGLE-FAMILY RESIDENTIAL
LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE
11 FEBRUARY 1998, 11 MARCH 1998 AND 8 APRIL 1998
PLANNING BOARD MEETINGS.

1. There are no outstanding engineering issues with regard to this application.
2. The Board should note that the Applicant has received approval from the Orange County Department of Health for both Phases I and II. Related to this approval, the Health Department has required that these plans reflect both phases, with Sheet 2 of the plans effectively being a "restamping" of the original application (Application No. 96-9) as previously approved by the Planning Board.
3. The Applicant should be directed to submit a **Public Improvement Bond Estimate** to the Town Engineer for review.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:PENN.mk

REGULAR ITEMS:

PENNINGS SUBDIVISION (98-7) LAKE ROAD

Mr. Joseph Pfau appeared before the board for this proposal.

MR. PETRO: Former subdivision of the six single family residential lots, this plan was previously reviewed at the 11 February, 11 March and 8 April, 1998 planning board meetings. So, this is the fourth time that we've reviewed this.

MR. PFAU: Okay. We received our Health Department approval for this project on November 23rd. At a workshop last Wednesday there were a couple of additional issues that were brought to light, the big one being add 911 numbers to the road extension. The major difference that you will see in this plan as opposed to the plan that was granted preliminary approval once we went to the Health Department, they, the first phase did not go to the Health Department for early subdivision approval four lots less than five acres because there were, three years didn't lapse for Phase 2, Health Department wanted to do a Realty Subdivision on both phases, so sheet 2 of the plan is the four lots that your board previously approved about two years ago.

MR. PETRO: Discussing note number 2?

MR. EDSALL: Yes, same issue.

MR. PETRO: Public improvement bond estimate to the town engineer for review, you have to get that, Mr. Pfau, just so we're not going to hold it up for that once you have that in this issue then you can put it on the plans. Mark, I see you have nothing outstanding here?

MR. EDSALL: No, Joe had resolved everything earlier in the year and just waiting for the Health Department.

MR. LUCAS: This is the third time we've seen this?

December 9, 1998

5

MR. PETRO: Fourth, yeah, we have fire approval 12/8/98 I'm sorry and highway approval 4/6/98, that's the last one I see there, okay, so we have both. Lead agency, public hearing, we have that everything, is done so what we really need is a motion.

MR. STENT: Motion we approve the Pennings major subdivision on Dutchman Drive.

MR. LUCAS: Second it.

MR. PETRO: Motion's been made and seconded that the Town of New Windsor Planning Board grant final approval to the Pennings major subdivision on Dutchman Drive subject to the public improvement bond estimate being delivered to the town engineer to review. Is there any further discussion from the board members? Any other comments? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

CORRESPONDENCE

PENNINGS SUBDIVISION

MR. PETRO: "On April 8, 1998, the above referenced project received preliminary approval. At this time, we're requesting 180 day extension. Kindly place this matter on the next planning board agenda for consideration. Joseph Pfau." This is for 180 day which he's entitled to.

MR. KRIEGER: Yes, no extensions previously so we want 180.

MR. EDSALL: Preliminary or final approval?

MR. PETRO: Preliminary approval, you want to check something?

MR. EDSALL: I'm just looking to see how it's worded here.

MR. PETRO: I thought preliminary can have unlimited amount.

MR. EDSALL: It can, I'm just trying to find out I thought that it referenced not by day just by six months, I think what you've done in the past is six months so that way it's--

MR. PETRO: That is what he's requesting.

MR. EDSALL: Not really, 365, it gives them the opportunity to go six calendar months, that's just the way.

MR. PETRO: Six calendar months from the date of the last approval expires 10/5/98, so it will run six months from that date?

MR. EDSALL: Yeah.

MR. LANDER: So moved.

MR. KRIEGER: You can give them anything you want but the practice has been six months.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize a six month extension for the preliminary approval to the Pennings major subdivision Section 2. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE



PIETRZAK & PFAU
ENGINEERING & SURVEYING, PLLC

December 3, 1998

Mr. James Petro, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

Re: Pennings - Major Subdivision - Phase 2
P&P No. 96134.01

Dear Mr. Petro:

In reference to the above project, enclosed please find ten (10) copies of the Final Subdivision Plans, as well as ten (10) copies of our approval from the Orange County Health Department.

Please note that the major plan revision, upon receiving preliminary approval from the Board, is a health department requirement that we include the four lots which your Board previously approved as Phase 1. This was a requirement of Orange County Health Department, so that they give Realty Subdivision Approval to all 10 lots.

At the December 2nd workshop, Mark Edsall, P.E. suggested that underneath the approval box on the sheet showing Phase 1, we reference the date that the Board gave Phase 1 Planning Board approval, as well as the Planning Board Application Number. Additional revisions that were made, as a result of the workshop meeting, are the additions of the 911 numbers and the current driveway specifications and notes.

Please place this matter December 9th Planning Board agenda for consideration of final approval.

Should you have any questions or require anything further, please do not hesitate to contact this office.

Very truly yours,

PIETRZAK & PFAU, PLLC

Joseph J. Pfau, P.E.

JJP/bb
enclosures:
cc: H. Vanleeuwen
pennin14.doc

ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

TO: Edward Pennings
Route 94
Salisbury Mills, NY 12577

The Orange County Department of Health certifies that a realty subdivision map entitled Pennings Major Subdivision Phase 1 & 2, dated January 30, 1998, latest revision October 20, 1998, located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: 32.02 acres Number of lots: 10

Water supply: Individual wells

Sewage disposal: Individual septic systems

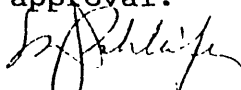
The owner intends to build on these lots.

Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. THAT the proposed facilities are installed in conformity with said plans.
2. THAT no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. THAT the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. THAT the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.
5. THAT the sanitary facilities on these lots shall be inspected for compliance with the approved plans at the time of construction by a licensed professional engineer and written certification to that effect shall be submitted to this Department and the local Building Code Enforcement Officer prior to occupancy.

6. THAT individual wells and sewage treatment systems shall no longer be constructed or used for household domestic purposes when public facilities become available. Connection to the public sewerage system is required within one year of the system becoming available.
7. THAT plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
8. THAT the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

November 23, 1998
Date


M.J. Schleifer, P.E.
Assistant Commissioner



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



REVIEW NAME: PENNINGS MAJOR SUBDIVISION (SECTION 2)
PROJECT LOCATION: DUTCHMAN DRIVE (OFF LAKE ROAD)
SECTION 54 - BLOCK 1 - LOT 3.15
PROJECT NUMBER: 98-7
DATE: 8 APRIL 1998
DESCRIPTION: THE APPLICATION PROPOSES THE RESUBDIVISION OF
THE REMAINDER PARCEL OF THE FORMER PENNINGS
SUBDIVISION, INTO SIX (6) SINGLE-FAMILY RESIDENTIAL
LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE
11 FEBRUARY 1998 AND 11 MARCH 1998 PLANNING
BOARD MEETINGS

1. As previously indicated, this property is located within the R-1 Zoning District and Zoning Bulk compliance is demonstrated on the plan.
2. A Lead Agency Coordination letter was issued on 20 February 1998. At this time, I believe it is appropriate that the Planning Board formally assume the position of Lead Agency.
3. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
4. This application will require review and approval from the Orange County Department of Health. As such, I recommend that the Board consider preliminary approval of this subdivision, such that the Applicant can proceed to the Health Department for review and approvals.

Respectfully submitted,

Mark J. Edsall, P.E.
Planning Board Engineer

MJESh
A:penning.sh

RESULTS OF T.B. MEETING OF :

PROJECT: *Persons Sub.*

P.B.# 98-7

NEGATIVE DEC:

M) S S) LU VOTE: A 5 N 0

CARRIED: YES ✓ NO

CARRIED: YES NO

SCHEDULE P.H. Y__N__

SEND TO DEPT. OF TRANSPORTATION: Y

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) N S) U VOTE: A 5 N 0

M)___S)___ VOTE: A___N___

NEED NEW PLANS: Y____ N____

DISCUSSION/APPROVAL CONDITIONS:

[illegible]

4/8/98

6

PENNINGS SUBDIVISION

Mr. Joseph Pfau appeared before the board for this proposal.

MR. PETRO: You were here on February 11 and March 11?

MR. PFAU: That's right. When there was a public hearing which was closed, I believe the board was probably close to taking action but there was only 28 days passed on the 30 day notice for SEQRA. That's since happened. The highway superintendent and Mr. Edsall had some comments which I responded to and gone to a workshop last week and I'm here for preliminary approval this evening.

MR. LANDER: So you can go to health department?

MR. PFAU: That's correct.

MR. PETRO: You want preliminary, is that correct?

MR. LANDER: Right, so they can go to Orange County.

MR. LUCAS: They didn't change anything?

MR. PETRO: We didn't get anything back in.

MR. EDSALL: I haven't seen anything.

MS. MASON: Should be something in there.

MR. EDSALL: There were none that asked to be lead agency.

MS. MASON: There should be some things in your mail there.

MR. EDSALL: No one asked to be lead agency?

MS. MASON: No.

MR. PETRO: Therefore, we can assume lead agency if we have a motion.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board assume lead agency for the Penning major subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. STENT	AYE
MR. PETRO	AYE

MR. PETRO: We also have highway approval on 4/6/8 and fire approval and 4/7/98.

MR. STENT: Motion we declare negative dec.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Pennings major subdivision. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. STENT	AYE
MR. PETRO	AYE

MR. LANDER: Make a motion that we grant preliminary approval for the Pennings subdivision on Lake Road Section Two.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded to grant

preliminary approval for the Pennings major subdivision. I just want to see that letter. Any other discussion other than my own and we'll do a roll call. I just want to read this quickly, New York State Office of Parks and Recreation, Mark, did you review this? It's dated March 27.

MR. EDSALL: Yes, I spoke with Joe Pfau about the letter from the Office of Parks, Recreation and Historic Preservation, we don't anticipate any concerns, but he has agreed to have that resolved before he comes back from the health department so he needs to submit some more information.

MR. PETRO: We have a motion on the floor for a preliminary approval. Is there any further discussion from any of the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. STENT	AYE
MR. PETRO	AYE

MR. PETRO: Thank you, we'll see you when you come back.

MR. PFAU: Thanks.



Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

March 27, 1998

Mark J. Edsall
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

Dear Mr. Edsall:

RE: SEORA
Pennings Major Subdivision
Dutchman Drive
New Windsor, Orange County
98PR0637

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. The documentation which you provided on your project has been reviewed by our staff. Preliminary comments and/or requests for additional information are noted on separate attachments accompanying this letter. A determination of impact/effect will be provided only after ALL documentation requirements noted on any attachments have been met. Any questions concerning our preliminary comments and/or requests for additional information should be directed to the appropriate staff person identified on each attachment.

In cases where a state agency is involved in this undertaking, it is appropriate for that agency to determine whether consultation should take place with OPRHP under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, Advisory Council on Historic Preservation's regulations, "Protection of Historic and Cultural Properties" 36 CFR 800 require that agency to initiate consultation with the State Historic Preservation Officer (SHPO).

When responding, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Director, Historic Preservation
Field Services Bureau

RLP:vib
attachments

REQUEST FOR ADDITIONAL INFORMATION
TO EVALUATE
BUILDINGS/STRUCTURES/DISTRICTS

98 PR 0637

In order for us to complete our evaluation of the historic significance of all buildings/structures/districts within or adjacent to your project area we will need the following additional information:

- ☐ Full project description showing area of potential effect.
- ☒ Clear, original photographs of buildings/structures 50 years or older within or immediately adjacent to the project area, keyed to a site plan.
- ☒ Clear, original photographs of the surroundings looking out from the project site in all directions, keyed to a site map.
- ☐ Date of construction.
- ☐ Brief history of property.
- ☐ Clear, original photographs of the following:
(See attached map for locations)
- ☐ Other:

Please provide only the additional information checked above. If you have any questions concerning this request for additional information, please call John A. Bonafide at (518) 237-8643 ext.263 .

PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED ABOVE WHEN RESPONDING TO THIS REQUEST

ARCHEOLOGY COMMENTS

98PR0637

Based upon a review of reported resources, there are no sites identified in or adjacent to your project area. Therefore the State Historic Preservation Office (SHPO) has no concerns regarding potential project effects on archeological resources and does not consider an archeological survey to be warranted.

If you have any questions concerning archeology, please call Cynthia Blakemore at (518) 237-8643 ext. 288.

*AGRICULTURAL
LIST*

9613401
*THIS LIST
EVERYONE
AG NOTICE*

Johnson, Jerome &
Clark, Lester A. &
Kirschner, Karl F.
131 Kings Road
New Windsor, NY 12553

Burt, Willard F. & Diane J.
4 Dutchman Drive
New Windsor, NY 12553

Hudson Highland Homes Inc.
PO Box 1190
Newburgh, NY 12550

Jacobsohn, Wanda & Theodore
16 Dutchman Drive
New Windsor, NY 12553

Buhler, Thomas E. & Lynn Ann
22 Dutchman Drive
Salisbury Mills, NY 12577

Pennings, Edward & Frederick &
Vanleeuwen, Hank & Louise
Box 33, Route 94
Salisbury Mills, NY 12577

Sladewski, Lillian & Walter
469 Lake Road
New Windsor, NY 12553

Cooper, Steven & Jacqueline Has Agricultural Exempt.
451 Lake Road
New Windsor, NY 12553

Sladewski, Walter & Sarah (54-1-8.1)
499 Lake Road
New Windsor, NY 12553

Clement Dorothy & Clay S. & John M. Jr.
c/o Dorothy Clement Has Agricultural Exempt.
548 Station Road
Rock Tavern, NY 12575

* * All of the above referenced parcels. with the exception
of 54-1-8.1, are in the Agricultural District.

*NO
ADJOINER*

*P. H
NO*

*Both
NOTICE
TO EVERYONE
ELSE*

NO ADJOINERS

2011 31
A copy of the map must be filed with the Town Clerk for public inspection.

In addition to the above mentioned notices, the following must also receive a copy of the notice of hearing. These may be sent regular first-class mail.

George J. Meyers, Supervisor Town of New Windsor 555 Union Avenue New Windsor, NY 12553	James R. Petro, Chairman Planning Board 555 Union Avenue New Windsor, NY 12553
--	---

Dorothy H. Hansen, Town Clerk Town of New Windsor 555 Union Avenue New Windsor, NY 12553	Mark J. Edsall, P.E. McGoey and Hauser Consulting Engineers, P.C. 45 Quassaick Avenue New Windsor, NY 12553
---	---

Andrew Krieger, Esq.
219 Quassaick Avenue
New Windsor, NY 12553

AGRICULTURAL DISTRICT NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York has before it an application for Subdivision/~~Site Plan~~

for the proposed 6 LOT RESIDENTIAL SUBDIVISION UTILIZING AN EXTENSION
(briefly describe project)
OF DUTCHMAN DRIVE AND SERVICED BY INDIVIDUAL WELLS AND SEPTICS.

As this project may be located within 500' of a farm operation located within an Agricultural District, the TOWN OF NEW WINDSOR is required to notify property owners of property containing a farm operation within this Agricultural District and within 500' of the proposed project.

Owner/Applicant EDWARD PENNINGS
Name

Address: 2018 ROUTE 94
SALISBURY MILLS, NEW YORK 12553

Project Location: 54-1-3.15
Tax Map # Sec., Block, Lot

Street: LAKE ROAD / DUTCHMAN DRIVE

A map of this project is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y.

Date: FEBRUARY 23, 1998

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.,
Chairman

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on MARCH 11 1998 at 8:00P.M. on the approval of the proposed 6 LOT SUBDIVISION (Subdivision of Lands)* (Site Plan)* OF PENNINGS MAJOR SUBDIVISION SECT.2 located WEST SIDE OF LAKE ROAD- DUTCHMAN DRIVE EXTENSION (SECT.54 BLK. 1 LOT 3.15)

Map of the (Subdivision of Lands)(Site Plan)* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: FEBRUARY 23, 1998

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, MARCH 11, 1998 - 7:30 P.M.

TENTATIVE AGENDA

CALL TO ORDER
ROLL CALL

APPROVAL OF MINUTES DATED: JANUARY 14, 1998
JANUARY 28, 1998

ANNUAL MOBILE HOME PARK REVIEW:

APPROVED a. MT. AIRY MOBILE HOME PARK - Mt. Airy Road (Johnson) APPROVED

POSSIBLE Z.B.A. REFERRALS:

- NO SHOW 1. 20TH Century Towing Site Plan (98-8) Union Avenue (Cuomo)
- ↓ 2. Vails Gate Rentals - Mans, Casey Site Plan (95-35) Rt. 94 Vails Gate (Cuomo)

PUBLIC HEARING:

TO RETURN 3. PENNINGS SUBDIVISION (98-7) Lake Road (Pfau)

REGULAR ITEMS:

- APPROVED 4. REAPPROVAL of : Rock Tavern Greens Sub. (96-10) Off Rt. 207 (Leone)
- NO SHOW 5. Rt. 32 Storage Area - Mans, Casey Site Plan (98-2) Rt. 32 (Cuomo)

DISCUSSION

TO RETURN TO PLANNING BOARD 6. Stevenson Lumber Site Plan (97-4) (Edsall)

ADJOURNMENT

(NEXT MEETING - MARCH 25, 1998)

PUBLIC HEARING

PENNINGS SUBDIVISION (98-7) LAKE ROAD

Mr. Joseph Pfau appeared before the board for this proposal.

MR. PETRO: You'll address us first. This application proposes resubdivision of the remainder parcel of the former Pennings subdivision into 6 single family residential lots. The plan was previously reviewed at the 11 February, 1998 planning board meeting and is before the board for a public hearing at this meeting. Okay.

MR. PFAU: As you said, this is the second phase of the project, Phase 1 was the 4 lots, road has been constructed and the houses built and this phase will be an extension of the road right where it ends right now we'll be taking a right turn going approximately another 350 to 400 feet and there will be 6 residential lots serviced off that road. All of those lots will be serviced by individual wells and septs and the proposal is for this road to be dedicated to the town once it's been completed and accepted, this plan will go to the Orange County Health Department because this subdivision was created within the three years time period that the first subdivision was approved by this board. So once we do receive preliminary approval, we'll be going to the health department for their review and approval prior to coming back here. The area that is going to be subdivided is a little over 27 acres, and it's in the R-1 zoning district and that is about the extent of it.

MR. LANDER: I think I asked this question existing drainage, is there a culvert there right now on lot 6?

MR. PFAU: Yes, that is that box that is shown right there, I can label that.

MR. LANDER: That is existing right now?

MR. PFAU: Yes.

MR. PETRO: I asked about this long driveway on lot 6, doesn't exceed 600 feet, correct?

MR. EDSALL: I don't believe it does, but I don't believe there's a restriction on driveway lengths, just private roads.

MR. PETRO: Driveway, there's no restriction at all?

MR. EDSALL: Not that I am that I am aware of. Maybe in the effort to kill some more time till you open to the public at 8 o'clock, I can let you know that I was able to meet with Jim Pullar, the Highway Superintendent, to resolve some of the questions that I had last time. I will let you know that I have sent a letter to Joe Pfau with five comments just to let him know of our discussions and Joe has told me he had no problem with any of the suggestions and he is going to build that into the plan before it goes to the County Health Department. But given the timing, it was too late to get him into this plan for the public hearing and that is not really a problem.

MR. PETRO: Also for the minutes on 2/9/98, we have highway approval and on 2/9/98, we have fire approval. Gentlemen, anybody want to ask any other questions? This is pretty straightforward but we're going to move into the public hearing very shortly here. Certainly looks like everything is in order. Obviously, as number 2 states was sent out or issued on 20 February, 1998 and we need 30 days for any responses. So we won't be taking any action tonight as lead agency and at this time, we have not had any responses from anyone. What we're going to do is I'm going to open it up for a public hearing. It is now 8 o'clock and as the paper has stated and we had, the notices did go out and also three envelopes went out with notice and 11 addressed envelopes went out for the public hearing 25th day of February, 1998. All right, with that at this time, I'd like to open it up to the public for any comments that the public may have on this application. Please come forward, state your name and your address and any concerns you may have.

MR. CLAY CLEMMONS: My name is Clay Clemmons, I live on

548 Station Road, we're the property just west of the Pennings. And I actually don't have any opinion one way or the other as far as the subdivision. I only had one question and that is about a stream of water that runs from our property through the Pennings property to the east, and how does this affect if anything does it affect that stream?

MR. PFAU: Okay, well, the site drainage will be, you're talking about, are you to the west, okay, so you are above over here. Well, you'll be, the stream actually is flowing in this direction.

MR. CLEMMONS: Yeah.

MR. PFAU: So it won't be affected, it won't be affecting your property whatsoever.

MR. CLEMMONS: Is there any affect to the stream, the stream will allowed to be continued where it is now?

MR. PFAU: Absolutely, we're not touching that at all as you can see right here, we're outletting a little bit of storm drainage we have on this road at this point and it goes a good 700 feet through a grass swale before it will outlet into that.

MR. CLEMMONS: This whole area drains to the stream normally already so it is not going to be changed very much.

MR. PFAU: And as you see the stream itself will only be on a portion of lot 4, this is it right here and this is an existing culvert, we're not going to change that, so there's no construction even close to that.

MR. CLEMMONS: That is my only concern.

MR. KRIEGER: The stream is the dotted line?

MR. PFAU: Yes.

MR. STENT: It's not going to be blocked off?

MR. PFAU: No.

MR. CLEMMONS: That is the whole drainage there?

MR. PFAU: Yeah and we're only actually only going to be one house even on this side, I don't know if you are familiar with the property, but there's an existing box culvert.

MR. CLEMMONS: I don't think I have been out that way.

MR. PFAU: But do you know the stone wall that comes along here, almost all of the stream is on that side and there's going to be no construction on that side of the stone wall.

MR. PETRO: Any other questions?

MR. CLEMMONS: No, I'm satisfied. Thank you very much.

MR. PETRO: Does anyone else want to speak on behalf of this application? I would assume not. It's 8 o'clock, seems to be no one here, I will entertain a motion to close the public hearing.

MR. LUCAS: Make a motion.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the Pennings major subdivision on Dutchman Drive. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: At this time, I'd like to open it back up to the board for comment, obviously, we can't take any action tonight, we have not become lead agency yet.

MR. LANDER: One question, Mr. Chairman, typical road section, Mark, can you tell me if these here doesn't look correct?

MR. PFAU: That was a comment that will be revised.

MR. LUCAS: Does that stream end up into the lake?

MR. EDSALL: Actually, it's for this road, it will be 3 1/2.

MR. PFAU: Yeah, if you look at the tax map, it's way, way down.

MR. LUCAS: I just asked him about the stream and where does it even end up in the lake and if there's a possibility of a backup there. It's too far down.

MR. EDSALL: On the road question that Mr. Lander had there is now three classes of roads rather than two, and the pavement thicknesses are five inch six inch and seven inch, this one being a dead-end road with no planning indication that it is going to be extended or looped, it's going to carry only, it's only local traffic, it could classify as a rural road which is the five inch pavement 30 foot wide.

MR. LANDER: Still going to have curbs though.

MR. EDSALL: Yes, and I believe that was the construction you had on the first phase as well, Joe?

MR. PFAU: Yes.

MR. PETRO: I have no further questions. He's going to reappear here a couple times because he's got to do some homework on this plan. Thank you.

MR. PFAU: Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhepa@ptd.net



REVIEW NAME: PENNINGS MAJOR SUBDIVISION
(SECTION II)

PROJECT LOCATION: DUTCHMAN DRIVE (OFF LAKE ROAD)
SECTION 54-BLOCK 1-LOT 3.15

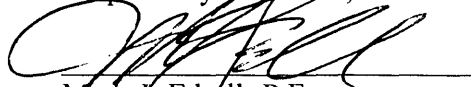
PROJECT NUMBER: 98-7

DATE: 11 MARCH 1998

DESCRIPTION: THE APPLICATION PROPOSES THE RE-SUBDIVISION OF
THE REMAINDER PARCEL OF THE FORMER PENNINGS
SUBDIVISION, INTO SIX (6) SINGLE-FAMILY RESIDENTIAL
LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE
11 FEBRUARY 1998 PLANNING BOARD MEETING AND IS
BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS
MEETING.

1. The property is located within the R-1 Zoning District of the Town. The "required" bulk information shown on the plan appears correct for the zone and use group, with each of the proposed lots complying with the minimum bulk requirements.
2. A Lead Agency Coordination Letter was issued on 20 February 1998. As of this date, I am not aware of any responses. As well, the required 30 day time period has not elapsed, such that the Board can formally assume the position of Lead Agency. As such, this must remain an open item.
3. In my 11 February 1998 Technical Review Comments, I provided several comments which I understand the Applicant is in the process of resolving. These issues should be resolved in the next submittal to the Planning Board.
4. The Planning Board should receive any concerns and comments from the public at this hearing. As deemed necessary by the Board, I will review any such concerns which may be identified.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:PENN3.mk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/09/98

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 98-7

NAME: PENNINGS MAJOR SUBDIVISION - SECTION 2

APPLICANT: PENNINGS, EDWARD

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	02/09/98	EAF SUBMITTED	02/09/98	WITH APPLICATION
ORIG	02/09/98	CIRCULATE TO INVOLVED AGENCIES . 02/20/98 - LEAD AGENCY LETTER SENT TO AGENCIES	02/11/98	AUTH. LA LETTER
ORIG	02/09/98	LEAD AGENCY DECLARED	/ /	
ORIG	02/09/98	DECLARATION (POS/NEG)	/ /	
ORIG	02/09/98	PUBLIC HEARING . PUBLIC HEARING SCHEDULED FOR 3/11/98	02/11/98 3/11/98	SCHEDULE P.H.
ORIG	02/09/98	AGRICULTURAL NOTICES	02/25/98	SENT NOTICES

PLANNING BOARD : TOWN OF NEW MILFORD
COUNTY OF ORANGE : STATE OF NEW YORK

In the Letter of Application for Site Plan/Subdivision c

Penning 98-7

Applicant:

AFFILIATE OF
GEORGE
F. HILL

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

MYFA L. NASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bathlehen Road, New Windsor, NY 12553.

On 2/25/98, I compared the 3 addressed envelopes containing the attached Agricultural District Notice with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

Storn to before me this

25th day of Jul, 1998

Deborah Green

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4584065
Commission Expires July 15, 1999

.....X

Pennings Sub. 98-7

AFFIDAVIT OF
SERVICE
BY MAIL

On 2/25/98, I compared the 11 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

5th day of Dec, 1998

AFFIMAIL.PLB - DISC#1 P.B.

AGRICULTURAL LIST

✓ Johnson, Jerome &
Clark, Lester A. &
Kirschner, Karl F.
131 Kings Road
New Windsor, NY 12553

✓ Burt, Willard F. & Diane J.
4 Dutchman Drive
New Windsor, NY 12553

✓ Hudson Highland Homes Inc.
PO Box 1190
Newburgh, NY 12550

✓ Jacobsohn, Wanda & Theodore
16 Dutchman Drive
New Windsor, NY 12553

✓ Buhler, Thomas E. & Lynn Ann
23 Dutchman Drive
Salisbury Mills, NY 12577

✓ Pennings, Edward & Frederick &
Vanleeuwen, Hank & Louise
Box 33, Route 94
Salisbury Mills, NY 12577

✓ Sladewski, Lillian & Walter
469 Lake Road
New Windsor, NY 12553

✓ Cooper, Steven & Jacqueline Has Agricultural Exempt.
451 Lake Road
New Windsor, NY 12553

✓ Sladewski, Walter & Sarah (54-1-8.1)
499 Lake Road
New Windsor, NY 12553

✓ Clement Dorothy & Clay S. & John M. Jr.
c/o Dorothy Clement Has Agricultural Exempt.
548 Station Road
Rock Tavern, NY 12575

* * All of the above referenced parcels, with the exception
of 54-1-8.1, are in the Agricultural District.

✓ NO
ADJOINERS

11 P. H. Notices

3 Ag Notices

✓ ADJOINERS

96134 01

A copy of the map must be filed with the Town Clerk for public inspection.

In addition to the above mentioned notices, the following must also receive a copy of the notice of hearing. These may be sent regular first-class mail.

George J. Meyers, Supervisor
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

James R. Petro, Chairman
Planning Board
555 Union Avenue
New Windsor, NY 12553

Dorothy H. Hansen, Town Clerk
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Mark J. Edsall, P.E.
McGoey and Hauser
Consulting Engineers, P.C.
45 Quassaick Avenue
New Windsor, NY 12553

Andrew Krieger, Esq.
219 Quassaick Avenue
New Windsor, NY 12553



1763

TOWN OF NEW WINDSOR
ASSESSOR'S OFFICE

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553-6196
Telephone: (914) 563-4633
Fax: (914) 563-4693

February 12, 1998

Four Dutchman Dev.
70 Windsor Highway
New Windsor, NY 12553

Re: 54-1-3.15

Dear Sirs:

According to our records, the attached list of property owners are within the agricultural district which is within five hundred feet of the above referenced property.

The charge for this service is \$25.00, which you have paid in the form of a deposit.

Sincerely,

Leslie Cook *(signature)*

LESLIE COOK
Sole Assessor

/s/mc
Enc.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on

MARCH 11 1998 at 8:00 P.M. on the approval of the proposed 6 LOT SUBDIVISION (Subdivision of Lands)* (Site Plan)* OF PENNINGS MAJOR SUBDIVISION SECT.2 located WEST SIDE OF LAKE ROAD - DUTCHMAN DRIVE EXTENSION

Map of the (Subdivision of Lands)(Site Plan)* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: FEBRUARY 23, 1998

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

NOTES TO APPLICANT:

- 1). *Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

*AGRICULTURAL
LIST*

Johnson, Jerome &
Clark, Lester A. &
Kirschner, Karl F.
131 Kings Road
New Windsor, NY 12553

Burt, Willard F. & Diane J.
4 Dutchman Drive
New Windsor, NY 12553

Hudson Highland Homes Inc.
PO Box 1190
Newburgh, NY 12550

Jacobsohn, Wanda & Theodore
16 Dutchman Drive
New Windsor, NY 12553

Buhler, Thomas E. & Lynn Ann
23 Dutchman Drive
Salisbury Mills, NY 12577

Pennings, Edward & Frederick &
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Box 33, Route 94
Salisbury Mills, NY 12577

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469 Lake Road
New Windsor, NY 12553

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451 Lake Road
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499 Lake Road
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Clement Dorothy & Clay S. & John M. Jr.
c/o Dorothy Clement Has Agricultural Exempt.
548 Station Road
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NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on MARCH 11 1998 at 8:00 P.M. on the approval of the proposed 6 LOT SUBDIVISION (Subdivision of Lands)* (Site Plan)* OF PENNINGS MAJOR SUBDIVISION SECT.2 located WEST SIDE OF LAKE ROAD- DUTCHMAN DRIVE EXTENSION (SECT.54 BLK. 1 LOT 3.15) Map of the (Subdivision of Lands)(Site Plan)* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: FEBRUARY 23, 1998

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA
20 February 1998

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
e-mail: mhpa@ptd.net



Pietrzak & Pfau
51 Greenwich Avenue, Suite A
Goshen, New York 10924

ATTENTION: JOSEPH PFAU, P.E.

SUBJECT: PENNINGS MAJOR SUBDIVISION - SECTION II
NEW WINDSOR PLANNING BOARD NO. 98-7

Dear Joe:

Please be advised that I met with Town Highway Superintendent James Pullar on the morning of 19 February 1998 to review the subject application, specifically the proposed drainage facilities on Dutchman Drive extension. Pursuant to that meeting, please be advised of the following requirements:

1. Two (2) additional catch basins should be provided. These should be at the "throat" of the cul-de-sac, with piping connected to the catch basin at the roadway low-point shown on the plan.
2. All piping for the storm drainage should be 15" diameter polyethylene (smooth wall lined).
3. An end section and rip-rap should be provided for the pipe discharge to the 20' wide drainage easement off the Town road. The pipe should terminate approximately 10' off the right-of-way.
4. The Town should be provided with a 20' wide by 20' long drainage easement, with such easement to the benefit of the Town of New Windsor.

5. An additional easement should be created from the Town drainage easement to the existing drainage course, being 20' wide, created as an easement to the benefit of the subdivision lots, with a restrictive covenant requiring that same not be graded or altered to negatively affect the drainage purpose. The Town of New Windsor shall retain the right to discharge into this easement, but shall have no obligation for maintenance of same.

Please contact me if you have any questions regarding the above matter.

Very truly yours,

**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.**



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: James Pullar, Town Highway Superintendent
James Petro, Planning Board Chairman

A:PFAU.mk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

20 February 1998

SUBJECT: PENNINGS MAJOR SUBDIVISION (SECTION II)
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
(P/B REF. NO. 98-7)

To All Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an Application for major subdivision approval of the Pennings Major Subdivision project located on Dutchman Drive, off Lake Road, within the Town. The project involves the subdivision of six (6) single-family residential lots from a 27.2 +/- acre parcel. It is the opinion of the Town of New Windsor Planning Board that the action is an unlisted action under SEQRA.

This letter is written as a request for Lead Agency coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA Review Process, sent to the Town of New Windsor Planning Board, 555 Union Avenue, New Windsor, New York 12553, Attention: Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved Agency desire the Lead Agency position, it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position.

All Involved Agencies
Page 2
20 February 1998
Pennings Major Subdivision (Section II)

Attached hereto is a copy of the preliminary subdivision plan, with location plan, for your reference. A copy of the Full Environmental Assessment Form submitted for the project is also included.

Your attention in this matter would be most appreciated. Should you have any questions concerning this project, please do not hesitate to contact the undersigned at (914) 562-8640.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD

MARK J. EDSALL, P.E.
PLANNING BOARD ENGINEER

Enclosure

cc: NYS Department of Environmental Conservation, New Paltz
New York State Parks, Recreation and Historic Preservation
Orange County Department of Health
Town of New Windsor Supervisor (w/o encl)
Town of New Windsor Town Clerk (w/o encl)
Applicant (w/o encl)
Planning Board Chairman
Planning Board Attorney (w/o encl)

A:PENNINGS.mk

REGULAR ITEMS:

PENNINGS SUBDIVISION (98-7) LAKE ROAD

Mr. Joseph Pfau appeared before the board for this proposal.

MR. PETRO: Under regular items, we have Pennings subdivision on Lake Road.

MR. PFAU: As you may recall, this is going to be an extension of a previously approved project which was a four lot subdivision coming off Lake Road. That road has been constructed, I don't show, but there's a temporary turnaround right at the beginning of the new proposed lot 1, all three of the four houses are built.

MR. VANLEEUEWEN: Four houses built.

MR. PFAU: All four are completed now, this is a 400 foot extension of Dutchman's Drive which we're proposing 6 lots. All the lots will utilize individual wells and septs. Because the other map was filed year ago, we'll be going to the health department on this particular application. The drainage is very simple. There is a low point where I show the two catch basins, we're going to be draining that out towards an existing channel that traverses the back of the property.

MR. PETRO: Mark, what we're doing is being that the other minor subdivision was within 3 year limit?

MR. EDSALL: Yes.

MR. PETRO: So we're going to treat this as a major subdivision, even though it's not.

MR. EDSALL: It's a major subdivision because it's over five lots, but it's a subdivision that requires county realty subdivision review because it's within three years, well, you have to have public hearing, even if the other subdivision didn't occur.

MR. LANDER: I think we're better off having one.

MR. PETRO: It's five lots.

MR. EDSALL: Six lots.

MR. LANDER: Do we have any wetlands on this?

MR. PFAU: Well, there's an existing farm ditch that, you know, is full of water so that would be considered wetlands anyways, but there is certainly no wetlands close to anything in construction that will be--

MR. PETRO: Do you have enough depth on these lots? My God.

MR. PFAU: Well, it kind of has nothing to do with the lots.

MR. EDSALL: Mr. Chairman, there's no problem meeting the rear yard setback.

MR. VAN LEEUWEN: Some of the wetlands are in the back of those lots, that is the reason why we did that, make them a little bit--

MR. PFAU: Lot of black dirt.

MR. LANDER: It's already a town road, the first part has that been dedicated yet?

MR. VAN LEEUWEN: No, it only has the base coat of blacktop on it.

MR. PFAU: It's 30 foot wide road with curbs.

MR. PETRO: Highway superintendent should be consulted as to whether he desires to have a drainage easement through lot 6, why are you saying that, Mark?

MR. EDSALL: Well, we have the drainage easement there and there is two ways of doing it, there can be a restrictions on the land or restrictive covenant that requires that the property owner keep the drainage ditch clear and drainage through the area, but not an easement that the town has the obligation to maintain.

MR. PETRO: Or the town can take an easement then they are going to be responsible for it, so I said let him have that choice so I will consult with Mr. Pullar.

MR. LANDER: That's a good idea, Mark, otherwise he can dam it up and it will be a big pond.

MR. PETRO: This is going to go to the Orange County Department of Health, so obviously we see that. And the lead agency coordination letter, Mark we'll authorize you to get that out now, do that?

MR. EDSALL: Will do.

MR. PETRO: Takes care of number 4 and what I think we can do is we'll have a public hearing, schedule it, shouldn't we hear back from Orange County first?

MR. EDSALL: As far as the lead agency because they are going to get a review and these fellas can't go to the health department for the review until they have preliminary so--

MR. PETRO: We'll schedule a public hearing, motion to--well, we don't need a motion, it's mandatory, so we're going to schedule a public hearing, okay. As far as the layout of the plan, does anybody have any suggestions or any concerns?

MR. LANDER: There's only one driveway and it's pretty long across that stream.

MR. PFAU: There's an existing culvert.

MR. PETRO: Driveway is how long, less than 800 feet, right?

MR. LANDER: Driveway?

MR. PETRO: Yes.

MR. PFAU: No, it's not.

MR. PETRO: Well, DOT is only a, looks like it's less

than 800, anybody want to add anything? We'll schedule the public hearing and get the coordination letter out and get it to Orange County Department of Health.

MR. LANDER: I don't see any problem, Mr. Chairman.

MR. PETRO: Anything else, Mark, now?

MR. EDSALL: No, I just provided those and I also requested copies of the sheet one so they can use that in the lead agency circulation.

MR. PETRO: Thank you.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: PENNINGS MAJOR SUBDIVISION
(SECTION II)
PROJECT LOCATION: DUTCHMAN DRIVE (OFF LAKE ROAD)
SECTION 54-BLOCK 1-LOT 3.15
PROJECT NUMBER: 98-7
DATE: 11 FEBRUARY 1998
DESCRIPTION: THE APPLICATION PROPOSES THE RE-SUBDIVISION OF
THE REMAINDER PARCEL OF THE FORMER PENNINGS
SUBDIVISION, INTO SIX (6) SINGLE-FAMILY RESIDENTIAL
LOTS. THE PLAN WAS REVIEWED ON A CONCEPT BASIS
ONLY.

1. The property is located within the R-1 Zoning District of the Town. The "required" bulk information shown on the plan appears correct for the zone and use group.

The Applicant has also provided a complete bulk table which indicates compliance for each of the six (6) proposed lots with each of the bulk requirements.

2. I have reviewed the preliminary plan and have the following comments:
 - a. The Highway Superintendent should be consulted as to whether he desires the drainage easement through Lot 6 as an easement to the Town.
 - b. Proposed contours should be indicated on the plan (Sheet 1), given the cuts depicted on the profile on Sheet 3. It must be demonstrated that this grading will not effect the sanitary disposal system areas depicted on the plans (see Comment 3 below).
 - c. For the typical road half section on Sheet 3, the 12" shale and 2" NYS Item 4 should be replaced with 12" foundation course per Town Specifications.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: PENNINGS MAJOR SUBDIVISION
(SECTION II)
PROJECT LOCATION: DUTCHMAN DRIVE (OFF LAKE ROAD)
SECTION 54-BLOCK 1-LOT 3.15
PROJECT NUMBER: 98-7
DATE: 11 FEBRUARY 1998

- d. The plan should depict any State or Federal wetlands, as applicable, on the site. If so identified, Part I of the Full EAF should properly reflect same.
- e. The Applicant should verify that acceptable driveway grades can be accomplished, once the new roadway grade has been established.
- 3. This application will require the review and approval of the Orange County Department of Health. As such, I have not reviewed the sanitary disposal system or wells, as they fall under that Department's jurisdiction.
- 4. This application will require issuance of a Lead Agency Coordination Letter. If authorized by the Board, I will circulate that letter once copies of the plan and EAF are received from the Applicant.
- 5. The Planning Board should consider scheduling the necessary **Public Hearing** for this **Major Subdivision**, as required under Paragraph 4 of the Subdivision Regulations.
- 6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:PENN2.mk

RESULTS OF P.B. MEETING

DATE: February 11, 1998

PROJECT NAME: Planning Sub. PROJECT NUMBER 98-7

LEAD AGENCY: L.A. Coord Letter

* NEGATIVE DEC: *

M) S) VOTE: A N M) S) VOTE: A N

CARRIED: YES NO CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N Schedule P. H

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Need Hwy review (Easement)

Need O.C. Health



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 7

DATE PLAN RECEIVED: RECEIVED DEC - 4 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Pennings Meyer Subdivision has been

reviewed by me and is approved L

disapproved

~~If disapproved, please list reason~~

no town water in this

area.

HIGHWAY SUPERINTENDENT DATE

Steven D. Jones 12-8-98
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: December 8, 1998

SUBJECT: Pennings Subdivision (phase 2)

Planning Board Reference Number: PB-98-7

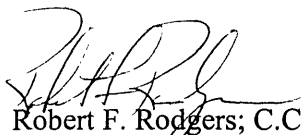
Dated: 4 December 1998

Fire Prevention Reference Number: FPS-98-070

A review of the above referenced subject subdivision plan was conducted on 7 December 1998.

This subdivision plan is acceptable.

Plans Dated: 20 October 1998 Revision 3



Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
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New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 98 - 7
WORK SESSION DATE: 2 DEC 98 APPLICANT RESUB.
REQUIRED: new plan
REAPPEARANCE AT W/S REQUESTED: No
PROJECT NAME: Pennings
PROJECT STATUS: NEW _____ OLD X
REPRESENTATIVE PRESENT: J. P.
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. P
ENGINEER P
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Typ. Driveway detail + notes
- New plans are Phase I + II
(I previously approved) being stamped again
- 2/25/97 "original stamp of approval" as App 96-9

_____ CLOSING STATUS
X Set for agenda ← if plans
_____ possible agenda item
_____ Discussion item for agenda
_____ ZBA referral on agenda

pbwsform 10MJE98



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor

P/B # 98-7

WORK SESSION DATE: 1 APR 98

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: No

new plan

PROJECT NAME: Remmings Sub

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Joe Plan.

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

YA taken @ next mtg
he is to talk @ mtg re wetlands
15% max driveway slope (one only)
PR SH Po - open - solve betw preli + final
- hold neg dec for PR HP resp.

4MJE91 pbwsform



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 7

DATE PLAN RECEIVED: RECEIVED APR - 3 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

Penning's Major Subdivision _____ has been

reviewed by me and is approved ✓ _____

disapproved _____

If disapproved, please list reason _____

There is no town water in this area _____

HIGHWAY SUPERINTENDENT _____ DATE _____

Sta. D.O. - 34-8-98
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED

APR 06 1998

N.W. HIGHWAY DEPT.

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 7

DATE PLAN RECEIVED: RECEIVED APR - 3 1998

The maps and plans for the Site Approval ☒
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ☒
disapproved ☐

If disapproved, please list reason _____

W. James Sullivan 4/6/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

Memorandum

TO: TOWN PLANNING BOARD
From: TOWN FIRE INSPECTOR
Date: 04/07/98
Re: PENNINGS SUBDIVISION; SECTION 2

PLANNING BOARD REFERENCE NUMBER: PB-98-7

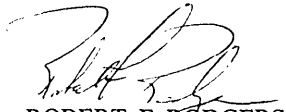
DATED: 3 APRIL 1998

FIRE PREVENTION REVERENCE NUMBER: FPS-98-

A REVIEW OF THE ABOVE REFERENCED SUBJECT SUBDIVISION PLAN WAS
CONDUCTED ON 7 APRIL 1998.

THE SUBDIVISION PLAN IS ACCEPTABLE.

PLANS DATED: 18 MARCH 1998, REVISION 2


ROBERT F. RODGERS



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

FEB 09 1998

N.W. HIGHWAY DEPT.

PLANNING BOARD FILE NUMBER: 98 - 7

DATE PLAN RECEIVED: RECEIVED FEB - 9 1998

The maps and plans for the Site Approval _____
Subdivision ✓ _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ✓ _____,
disapproved _____.

If disapproved, please list reason _____

W. James Sullivan 2/11/98
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 7

DATE PLAN RECEIVED: RECEIVED FEB - 9 1998

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by _____
_____ for the building or subdivision of _____
PENNINGS has been
reviewed by me and is approved _____
disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT _____ DATE _____

WATER SUPERINTENDENT _____ DATE _____

[Signature] 2/17/98
SANITARY SUPERINTENDENT _____ DATE _____

MEMO

To: Town Planning Board

From: Town Fire Inspector

Subject: Pennings Subdivision

Date: 9 February 1998

Planning Board Reference Number: PB-98-7

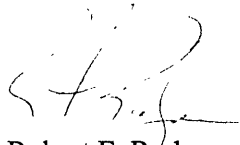
Dated: 9 February 1998

Fire Prevention Reference Number: FPS-98-008

A review of the above referenced subject subdivision plan was conducted on 9 February 1998.

This subdivision plan is acceptable.

Plans Dated: 30 January 1998 Revision 1

A handwritten signature in dark ink, appearing to read 'R. Rodgers', is positioned above the printed name.

Robert F. Rodgers; C.C.A.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 7

DATE PLAN RECEIVED: RECEIVED FFB - 9 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Sladewski - sub division has been

reviewed by me and is approved ✓

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF

New Windsor

P/B #

98-1

WORK SESSION DATE:

4 Feb 98

APPLICANT RESUB.

REQUIRED:

Full App

REAPPEARANCE AT W/S REQUESTED:

Not now

PROJECT NAME:

Pennings Mays Sch.

PROJECT STATUS:

NEW

X

OLD

REPRESENTATIVE PRESENT:

Joe Han

MUNIC REPS PRESENT: BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Ext of Dutchman

- to lots-

- 1/4 coord. letter for notz
date + 1 (determine # copies)

Poss agenda



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ☒ Lot Line Change ☐ Site Plan ☐ Special Permit ☐

Tax Map Designation: Sec. 54 Block 1 Lot 3.15

1. Name of Project PENNINGS MAJOR SUBDIVISION, SECTION 2

2. Owner of Record EDWARD PENNINGS Phone 496-5995

Address: 2018 ROUTE 94 SALISBURY MILLS, NEW YORK 12577
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant SAME AS OWNER Phone

Address:
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan JOSEPH J. PFAU, P.E. Phone 294-0606

PIETRZAK & PFAU ENGINEERING & SURVEYING, PLLC
Address: 51 GREENWICH AVENUE GOSHEN, NEW YORK 10924
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney JERALD FIEDELHOLTZ, ESQ. Phone 562-4630

Address: 270 QUASSAICK AVENUE NEW WINDSOR, NEW YORK 12553
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

JOSEPH J. PFAU, P.E. 294-0606
(Name) (Phone)

7. Project Location:

On the WEST side of LAKE ROAD 2400 feet
(Direction) (Street) (No.)
WEST of SOUTH JACKSON AVENUE (EXTENSION OF SECTION 1 DUTCHMAN DRIVE)
(Direction) (Street)

8. Project Data: Acreage 27.2± Zone R-1 School Dist. WASHINGTONVILLE

98 - 7

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes X No

***This information can be verified in the Assessor's Office.**

***If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) CREATION OF SIX (6)
RESIDENTIAL BUILDING LOTS SERVICED BY AN EXTENSION OF DUTCHMAN DRIVE
AND INDIVIDUAL WELLS AND SEPTICS

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes no X

12. Has a Special Permit previously been granted for this property? yes no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

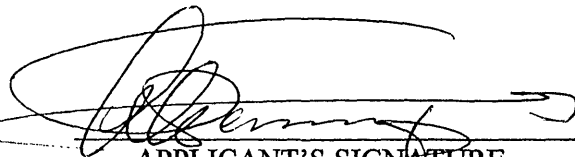
COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

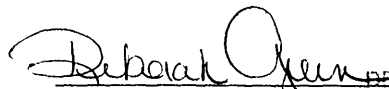
SWORN BEFORE ME THIS:

9th DAY OF Jul

1998



APPLICANT'S SIGNATURE


DEBORAH GREEN
NOTARY PUBLIC, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1999

E.D. PENNINGS
Please Print Applicant's Name as Signed

TOWN USE ONLY:

RECEIVED FFB - 9 1998

DATE APPLICATION RECEIVED

98 - 7

APPLICATION NUMBER

AGRICULTURAL DISTRICT NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York has before it an application for Subdivision/~~Site Plan~~

for the proposed 6 LOT RESIDENTIAL SUBDIVISION UTILIZING AN EXTENSION
(briefly describe project)
OF DUTCHMAN DRIVE AND SERVICED BY INDIVIDUAL WELLS AND SEPTICS.

As this project may be located within 500' of a farm operation located within an Agricultural District, the TOWN OF NEW WINDSOR is required to notify property owners of property containing a farm operation within this Agricultural District and within 500' of the proposed project.

Owner/Applicant EDWARD PENNINGS
Name

Address: 2018 ROUTE 94
SALISBURY MILLS, NEW YORK 12553

Project Location: 54-1-3.15
Tax Map # Sec., Block, Lot

Street: LAKE ROAD / DUTCHMAN DRIVE

A map of this project is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y.

Date: _____

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.,
Chairman

98 - 7

RECEIVED 11/16/98

IF APPLICABLE "XX"

**This form to be completed only if you answer "yes" to question #9 on the application form.

AGRICULTURAL DATA STATEMENT

1. Name and Address of Applicant:

EDWARD PENNINGS

2018 ROUTE 94 SALISBURY MILLS, NEW YORK 12577

2. Description of proposed project and its locations:

6 LOT RESIDENTIAL SUBDIVISION ON THE WESTERLY SIDE OF LAKE ROAD

2400 FEET WEST OF SOUTH JACKSON AVENUE. THIS IS AN EXTENSION OF

DUTCHMAN DRIVE, A PREVIOUSLY APPROVED SUBDIVISION.

3. Name and address of any owner of land within the Agricultural District:

4. Name and address of any owner of land containing farm operations located within 500 feet of the boundary of the subject property.

5. A map is submitted herewith showing the site of the proposed project relative to the location of farm operations identified in this statement.

98 - 7
RECEIVED FEB 9 1998

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

EDWARD PENNINGS, deposes and says that he resides
(OWNER)

at 2018 ROUTE 94 SALISBURY MILLS in the County of ORANGE
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map

(Sec. 54 Block 1 Lot 3.15)
designation number (Sec. Block Lot) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

PIETRZAK & PFAU ENGINEERING & SURVEYING, PLLC

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: Feb 9, 1998

Deborah Green
Witness' Signature

[Signature]
Owner's Signature

Applicant's Signature if different than owner

[Signature]
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

98 - 7

RECEIVED FEB 10 1998

**TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration of being placed on the Planning Board Agenda:

1. X Name and address of Applicant.
- * 2. X Name and address of Owner.
3. X Subdivision name and location.
4. X Tax Map Data (Section, Block & Lot).
5. X Location Map at a scale of 1" = 2,000 ft.
6. X Zoning table showing what is required in the particular zone and what applicant is proposing.
7. N/A Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. X Date of plat preparation and/or date of any plat revisions.
9. X Scale the plat is drawn to and North arrow.
10. X Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
11. X Surveyor's certificate.
12. Surveyor's seal and signature.
13. X Name of adjoining owners.
14. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- *15. N/A Flood land boundaries.
16. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. X Final metes and bounds.
18. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.

19. X Include existing or proposed easements.
20. X Right-of-way widths.
21. X Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. X Lot area (in square feet for each lot less than 2 acres).
23. X Number the lots including residual lot.
24. X Show any existing waterways.
- *25. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. X Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
28. X Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
29. X Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. Provide "septic" system design notes as required by the Town of New Windsor.
31. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. X Indicate percentage and direction of grade.
33. X Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. X Provide 4" wide X 2" high box directly above title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. N/A Indicate location of street or area lighting (if required).

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REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. _____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
55. _____ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

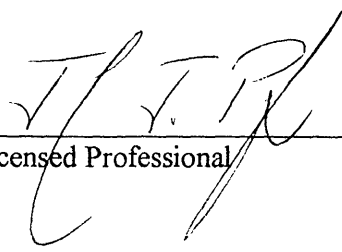
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY:  2-5-78
Licensed Professional Date

98 - 7

REC'D BY
"XX"

ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

DEVELOPABLE PORTION OF PROPERTY IS NOT IN A FLOOD ZONE

98 - 7
RECEIVED FEB - 9 1998